

THE

AMERICAN ASSOCIATION
OF UNIVERSITY WOMEN

OFFICE
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N. 17th St.
Philadelphia, Pa.

August 1911

U. S. DEPT. OF

COMMERCE

BUREAU OF

LABOR

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For the term ending June 30, 1919

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For the term ending June 30, 1920

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For the term ending June 30, 1921

- Executive Committee**
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OF

THE AMERICAN ASSOCIATION
OF UNIVERSITY PROFESSORS

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GENERAL ANNOUNCEMENTS

The publication of this BULLETIN has been delayed in order to include as complete information as possible in regard to the status of the pension question in different institutions. There have, however, been unanticipated delays in the correspondence relating to this matter and it is not possible to cover the subject as fully as was hoped, in the present number. The next BULLETIN will be issued about October 15.

ANNUAL MEETING.—The Committee on Time and Place of the Annual Meeting has recommended that the Association meet in Cleveland with the American Historical Association in December and this recommendation has been approved by the Council.

INSTITUTE OF INTERNATIONAL EDUCATION.—Reference has been made in the April BULLETIN to a joint committee appointed to work out a plan of co-ordinating various interests in the international field. A meeting of the committee was held at New York City May 9, and although no votes were passed, President Butler, representing the International Institute, assured those present that he would take up with the Carnegie Endowment for Peace the possibility of having the Institute become independent and add to its membership representatives of the American Council on Education and the American University Union in Europe.

A questionnaire has been sent to colleges and universities by the Institute of International Education inquiring in some detail as to their interest in and probable attitude on the following proposals:

1. A proposal that one or two English-speaking professors from French, Italian and British universities should visit the colleges and universities of this country each year, their salaries being paid by their own governments or institutions.
2. A proposal that one or two professors from American colleges and universities should each year visit the universities of France, Italy and Great Britain.
3. The governments of some of the countries of Central and Eastern Europe desire to have the life, institutions and culture of the United States described by representative Americans to their students and people. This is also true of some of the institutions of the Far East. Might American professors use sabbatical years in part for this purpose?

4. A proposal that a limited number of French, Italian and British students, carefully selected, should be enrolled each year in American colleges and universities.
5. A proposal that a limited number of American students, carefully selected, should be enrolled each year in French, Italian and British universities.

[†]
NATIONAL RESEARCH COUNCIL.—The National Research Council has adopted a form of organization including, among various divisions, one on Educational Relations. This will have representatives from research committees of educational institutions, from several of the leading national educational organizations directly or indirectly concerned with research, also a small group of members-at-large, chosen from among the leading educators of the country who have given special attention to research problems in the broadest sense. The membership of the Division is formally constituted as follows:

Regional representatives of research committees in educational institutions.....	6
Association of American Universities.....	1
National Association of State Universities.....	1
Association of American Agricultural Colleges and Experiment Stations.....	1
Association of American Colleges.....	1
American Association of University Professors.....	1
United States Bureau of Education.....	1
Divisional Nominations, or members-at-large, not to exceed.....	8
	<hr/>
	20

The Council has accordingly requested the appointment of a representative of the Association as a member of the Division. It is the purpose of the Division to keep in view the whole problem of research in educational institutions. The Division will be closely related to the Research Committees now in existence in more than ninety colleges and universities, and it will also hope to make its organization available to these committees for consideration of their special needs.

The Research Council has in a large measure realized its plans for a comparatively simple organization representing the research agencies of the country and with such a relationship to educational institu-

tions, to the government, and to the industries, as will make possible a larger measure of co-operative research than has, heretofore, been possible.

A detailed statement of plans for reorganization of the National Research Council is published in *Science* for May 16.

School and Society for May 17 contains a Code of Ethics for the Teaching Profession.

NOTES FROM COMMITTEES

COMMITTEE ON DELEGATE REPRESENTATION.—The following have been appointed as the Committee on Delegate Representation, authorized at the last annual meeting:

H. W. Prescott (Chicago), *Chairman*; R. C. Brooks (Swarthmore), R. G. Harrison (Yale), F. W. Shipley (Washington, St. Louis), Isidor Loeb (Missouri), G. R. Noyes (California), Lucy E. Textor (Vassar).

As the change of policy in question would presumably imply a constitutional amendment, it is assumed that the next annual meeting will be conducted on the same basis as heretofore, but it is hoped that the committee will prepare a plan for delegate representation which may be published in the October or November BULLETIN and be discussed by local branches in advance of the annual meeting, so that action at that time may represent a real and general consensus of opinion.

COMMITTEE R—PROMOTION OF RESEARCH.—A list of topics for discussion by local branches and at the annual meeting has been received from Committee R and will be published in the October BULLETIN.

A limited number of reprints of the recently published reports of committees are available on application to the Secretary.

NOTES FROM LOCAL BRANCHES IN REGARD TO THE CARNEGIE FOUNDATION'S PROPOSALS

The following circular letter was sent to all local branches May 8:

"It is requested that Chairmen or Secretaries of Branches send at once to the Secretary of the Association information concerning the action taken at their institutions with respect to the plans of the Teachers Insurance and Annuity Association and the proposals, in connection therewith, of the Carnegie Foundation.

"The information desired should cover the following questions:

1. Has the matter been referred to the faculty, or a faculty committee?
2. Has the faculty, or its committee reported, and if so, in what sense?
3. Have the trustees taken any action with reference to these or other new plans for insurance or retiring allowances, and if so, what action?

"It is hoped that the steps thus far taken in this matter at a number of colleges and universities may be reported in the next BULLETIN. Please state whether publication is authorized.

"Replies to the above questions should be sent, for the information of the officers of the Association, even when the privilege of publication is withheld."

Summaries of replies received from a number of institutions are appended:

AMHERST COLLEGE.—The matter has been referred to a Faculty Committee which recommended that no action be taken. The trustees have taken no action so far as known.

BRYN MAWR COLLEGE.—The Board of Directors and the Faculty appointed each a conference committee. The Board set aside a sum of money as a basis for adoption of the Carnegie Foundation plan but later (chiefly on account of the attitude of the Faculty) resolved not to enter upon the plan for the present. The Faculty has discussed an alternative plan and forwarded it to the Board for consideration.

UNIVERSITY OF CHICAGO.—As the university is entirely independent of the Carnegie Foundation no question has arisen.

UNIVERSITY OF CINCINNATI.—The matter has not yet been referred to the Faculty. The Trustees have been requested to confer with the Faculty Committee before taking action.

UNIVERSITY OF COLORADO.—The matter has been referred to a Faculty Committee which has not yet reported but is apparently unfavorable. No action has been taken by the trustees.

COLUMBIA UNIVERSITY.—The Trustees have adopted a plan embodied in an amendment to the statutes of April 7, 1919, under which members of the Faculty may be retired on their own application or upon motion of the Trustees under specified conditions, with retiring allowances dependent on their accepting the opportunity offered by the Teachers Insurance and Annuity Association.

DARTMOUTH COLLEGE.—The Faculty has adopted the following resolution:

Whereas, the plan of insurance and annuities now offered to teachers by the Carnegie Foundation for the Advancement of Teaching through its Teachers Insurance and Annuity Association is in some respects unsatisfactory: namely in that

- (1) it makes no provision for the mutualization of the Company;
- (2) retains the control of the Company and its policy in the Carnegie Foundation;
- (3) offers only a non-participating policy;
- (4) offers few if any advantages, so far as the legal obligations of the contract are concerned, over those that can be secured from commercial companies,

Resolved, that the Faculty recommends to the Trustees that they take no action at present looking toward the acceptance for Dartmouth College of the insurance and annuity plan of the Carnegie Foundation.

HARVARD UNIVERSITY.—Referred to a committee representing the principal faculties of the university. The Committee reported adversely at a joint meeting of the faculties, and its report was unanimously accepted. The Corporation is now studying the question of the administration of annuities by the university.

JOHNS HOPKINS UNIVERSITY.—A Faculty Committee has reported unfavorably upon the proposals. No action has as yet been taken by the Board of Trustees.

UNIVERSITY OF ILLINOIS.—The President referred the matter to the University Senate which voted against the acceptance of the plan; no action was, consequently, taken by the Trustees.

UNIVERSITY OF KANSAS.—No action has been taken.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY.—No action has been taken.

UNIVERSITY OF MICHIGAN.—The plan appears to have been adopted by the Regents in February without consideration by the Faculty.

UNIVERSITY OF MISSOURI.—A Faculty Committee appointed by the President has recommended in substance that for the present no action should be taken on the ground "1st, that the Teachers Insurance and Annuity Association of America is not organized on a participating basis; 2d, in the plan proposed, no provision is made that The Teachers Insurance and Annuity Association of America shall be eventually completely mutualized." This report was accepted and ordered filed by the Board of Curators.

UNIVERSITY OF NORTH CAROLINA.—The matter has been referred by the Advisory Committee of the President to a special Committee for study. No report has been made and no action taken by the Trustees.

UNIVERSITY OF PENNSYLVANIA.—The matter has been referred to the separate faculties. The results are not yet available for publication.

UNIVERSITY OF PITTSBURGH.—The matter has been referred to a Faculty Committee. The Committee has recommended the adoption of the plan and the Trustees have passed the following votes: "The Trustees of the University of Pittsburgh propose to participate in the contributory plan of old age annuities of the Teachers' Insurance and Annuity Association of America, upon the following terms: For all professors, associate professors and assistant professors entering the service of the University after July 1, 1919, participation in the contributory plan shall be obligatory. For all instructors entering

the University after that date, who have had not less than three years of service, a similar contributory participation shall be obligatory. The contribution shall be five per cent of the active salary up to the limit of a full professor's salary, and the University will contribute a like amount in the case of each professor or instructor contributing under the conditions named above. In addition, the University of Pittsburgh proposes to make a similar contribution in the case of any teacher now in the service of the University below the age of forty who may elect to enter the contributory system. The Trustees of the University have not yet decided what plan it will adopt in dealing with the question of old age annuities for older teachers. It is still further understood that members of the faculty who are already carrying annuity policies in old line companies up to the measure of their financial ability, may exercise their option as to taking any additional annuity in the Teachers' Insurance and Annuity Association."

PURDUE UNIVERSITY.—The whole matter was referred to a Committee of the Faculty. The Committee's report, given in full below was approved, and transmitted to the Board of Trustees.

Report of Committee:

It is the sense of the Instructional Corps of Purdue University that:

I. The Board of Trustees be requested not to adopt a compulsory Life Insurance and Annuity Plan.

II. In lieu of making joint contributions with instructors to accumulate an annuity fund, the Board of Trustees be urged to increase salaries sufficiently to permit each instructor, after meeting the expense of reasonable living conditions, to accumulate such a fund to provide for himself an annuity income at the age of retirement from active service.

III. It is the duty of all instructors, not otherwise protected, to make some such provision for retirement.

IV. The President be requested to transmit these resolutions to the Board of Trustees.

The Board of Trustees have had the above report before them for consideration, but have, as yet, taken no formal action in the matter.

The Board of Trustees at the June meeting, voted to grant to all members of the Instructional Corps a general increase in salary amounting to about fifteen per cent.

STANFORD UNIVERSITY.—The matter was referred to a Committee of the Academic Council of the University. This Committee has reported to the Executive Committee and its report has

been distributed by the Executive Committee among the members of the Academic Council. So far as is known the Trustees have taken no action hitherto but are awaiting action by the Academic Council.

SWARTHMORE COLLEGE.—No Faculty or Committee report has been made.

SYRACUSE UNIVERSITY.—Nothing has been done, nor is likely to be done.

TUFTS COLLEGE.—The matter has been referred to the Faculty and the Faculty has passed a resolution requesting that the matter be not acted upon immediately.

UNION COLLEGE.—Dr. Pritchett has addressed the Faculty, but no action has been taken by the Trustees.

WASHINGTON UNIVERSITY.—No action has been taken. The general sentiment of the local branch is adverse.

WESTERN RESERVE UNIVERSITY.—The Faculty of Adelbert College has recommended that the college participate on a voluntary basis allowing each member the option as to taking insurance or annuities; also that the University Treasurer do not participate in the payments for insurance or annuities. This recommendation has been adopted by the Trustees.

WELLESLEY COLLEGE.—The matter has been referred to a Faculty Committee which has not yet reported, and no action has yet been taken by the Trustees (May 18).

UNIVERSITY OF WISCONSIN.—The Faculty recommended to the Regents "that the University of Wisconsin decline the invitation of the Trustees of the Carnegie Foundation to participate in the Teachers' Insurance and Annuity Association of America, as now presented." There is no question whatsoever that the Regents will do nothing in the direction of participation.

YALE UNIVERSITY.—As previously stated, the plan was at first accepted by the Trustees, and is now under reconsideration.

A reprint from a "Handbook of Public Benefactions of Andrew Carnegie" gives a condensed history of the Carnegie Foundation for the Advancement of Teaching, from which the following passages are quoted:

"The Trustees of the Foundation were led after years of study to a conception of a pension system widely different from that with which they started. As honest and conscientious Trustees, they have sought to face resolutely the difficulties of the transformation they conceived to be necessary."

"Mr. Carnegie had in mind the offer of a pension to the teacher grown old in the service. To the old teacher, such a privilege coming unexpectedly at the end of long and faithful work was a gracious and friendly service." . . . Within a few years, both Mr. Carnegie and the Trustees began to have serious doubts of the wisdom of any system of pensions provided entirely without the co-operation of the beneficiary, whether he were a teacher, a government employee, or an industrial worker.

"There was only one thing that right-minded and courageous men could do under such circumstances, and that was to make a thorough study of the whole subject and, after full knowledge, to go forward to a constructive and permanent solution of the problem of teachers' pensions."

"A pension system paid out of income, whether of a government or of a corporation, at no cost to the beneficiary is expensive beyond all anticipation. Its cost is not only impossible to estimate in advance, but has proved an intolerable burden even to the practically unlimited income of a government."

"Experience shows further that while under the non-contributory plan the beneficiary appears to get something for nothing, it is certain that in a limited number of years the pension will be absorbed in the wage or salary schedule, and become practically deferred pay, received by only a minority of those interested."

"The effect of the so-called free pension upon the individual is distinctly demoralizing."

"While the income of the Foundation will thus be devoted for many years to come to the payment of pensions of teachers in the associated colleges, its great endowment of fifteen millions of dollars is untouched. Its income, as it is set free, will be devoted to the advancement of teaching along such lines as the Trustees of that day may decide."

"This solution is regarded by high-minded and thoughtful men looking at the matter from a detached and disinterested point of view as a most generous fulfillment of the expectations of these teachers. It is believed that it will be so regarded by the teachers themselves."

"The Trustees of the Foundation in consultation with many teachers and college officials, as well as with high-minded and disinterested men of affairs, sought to determine the question what would be a just and generous fulfillment of these expectations without involving the Foundation in an unwarrantable use of trust funds for a very long period of years to the exclusion of the claims of the great body of teachers in the United States and Canada?"

In an appendix it is noted that Mr. Carnegie's letter of April 16, 1905, provided for the election of trustees by the participating institutions, but that this was modified in the act of incorporation on account of the desirability of a permanent self-perpetuating governing board.

COMMITTEE ON ACADEMIC FREEDOM
STATEMENT ON THE CASE OF PROFESSOR LOUIS
LEVINE OF THE UNIVERSITY OF MONTANA

On February 7, Professor Louis Levine was suspended from the faculty of the University of Montana by Chancellor Edward C. Elliott. The suspension occurred in connection with the publication of a monograph on mine taxation which had been prepared by Professor Levine. An appeal was made to the American Association of University Professors to investigate the case on the ground of alleged violation of academic freedom. From the representations that were made to the Acting Chairman of the Committee on Academic Freedom, and to President Lovejoy, it seemed that an adjustment mutually satisfactory might be made in case the Association should act quickly and send a man to Montana to interview the interested parties. The undersigned was requested to undertake this.

Interviews were held in Missoula with President E. O. Sisson and Professors Levine, Elrod, Pope, Phillips, Underwood, Coffman, Jones, and Lennes. In these interviews I studiously avoided discussing the merits of the case, as I had undertaken the trip with the general understanding that the purpose to be attained was primarily conciliatory. In addition to the interviews, the correspondence bearing on the case between Professor Levine, President Sisson, and Chancellor Elliott was examined, and copies of the important letters were obtained. In Helena a two hour conference was held with Chancellor Elliott, during which the case was reviewed from the Chancellor's point of view.

During the trip I called the attention of all persons interviewed, including Chancellor Elliott, to the report of the Committee on Academic Freedom of the American Association of University Professors, and to that part of President Lowell's annual report bearing upon the subject of academic freedom which was published in the February-March BULLETIN (1918) of the Association. Upon my return, an abstract of the report of the Committee on Academic Freedom was prepared, and the full statement by President Lowell referred to above was copied and forwarded to each member of the State Board of Education with the following letter.

March 31, 1919.

GOVERNOR S. V. STEWART,
Helena, Montana.

Dear Sir: The case of the suspension of Professor Louis Levine from the University of Montana was brought to the attention of the American Association of University Professors, and, upon the request of the officials of this Association, I made a trip to Missoula and Helena to interview Chancellor Elliott, President Sisson, and Professor Levine. It was represented to me that there was a possibility of finding a basis of adjustment that would be mutually satisfactory to the interested parties. I became convinced from my interview with Chancellor Elliott that such a disposition of the case was very improbable. I was informed by the Chancellor that the State Board of Education intended to review the case on April 7.

Believing that the members of the State Board are anxious to deal fairly with Professor Levine and assuming that they would welcome any statements which would aid them in disposing of his case, I am taking the liberty to present to each member of the Board a brief statement of the principles of academic freedom adopted by the American Association of University Professors, together with a copy of the statement of President Lowell of Harvard University on the same subject.

I trust that the members of the Board will find these statements useful in formulating their judgment in Professor Levine's case.

Very truly yours,

(Signed) F. S. DEIBLER,
Professor of Economics.

The verdict of the Board was communicated to me by both President Sisson and Chancellor Elliott. In addition, a partial stenographic report of the proceedings of the Board was received from Professor Levine. Since the case is now closed satisfactorily through the reinstatement of Professor Levine, it does not seem to the President and the Chairman of the Committee that a formal report on the case should be made by a Committee of Inquiry. The undersigned has, however, at the request of these officers, prepared the following summary record of the incident.

There seemed to be no substantial differences concerning the facts in the case, which were, in substance, as follows:

Professor Levine was appointed Assistant Professor of Economics in the University of Montana and began his duties in the fall of 1916. Early in that year Chancellor Elliott appointed a committee of three from the faculty of the State University to study taxation for purposes of higher education in Montana. The state institutions were dependent upon yearly appropriations and it was the desire of Chancellor Elliott to secure a mill tax in order to obtain greater regularity in the financial support of the state institutions.

Professor Levine became an active member of this committee and as a result of his work on the subject, he became interested in the whole subject of taxation in Montana. In January, 1917, Dr. Levine wrote a series of articles on the financial situation in the state. These articles were reprinted in pamphlet form under the title "Equalizing Tax Burdens in Montana." Shortly thereafter Chancellor Elliott requested Professor Levine to come to Helena, to assist in the preparation of a number of tax bills which were later introduced in the legislature. Some attempts were made by the Chancellor to connect Dr. Levine with the State Tax Commission and Levine had an interview in January, 1918, with Mr. Charles R. Leonard, Chairman, and Mr. J. Edgerton, Secretary of the Commission.

During January, 1918, Dr. Levine took up with Chancellor Elliott a plan for publishing a series of bulletins on various phases of tax problems in the state. On February 9, 1918, President Sisson of the State University, wrote Dr. Levine as follows:

Dear Professor Levine:

The Chancellor brought up in conference this week the question of the publication of certain tax bulletins which you have in preparation. I wish to notify you that he and I are both in favor of the publication of the bulletins and are ready to assign funds for that purpose to the fullest extent which our general budget situation will justify.

Yours sincerely,

(Signed) E. O. Sisson.

Shortly after the receipt of this letter Professor Levine was notified by President Sisson that his teaching schedule had been reduced three hours per week in order to give him additional time to pursue his investigations. On April 1, Professor Levine submitted to President Sisson a plan for six monographs on taxation, and suggested the advisability of preparing the one on Mine Taxation first. In a letter to Chancellor Elliott, President Sisson approved Professor Levine's plan, with the single reservation that "priority in preparation did not necessarily commit the University to priority in publication." Chancellor Elliott likewise approved the plan in a letter dated April 5. The passage of his letter bearing on this point was, "There is no doubt in my mind but that Dr. Levine might properly proceed in the way he has indicated. On the other hand, I shall want personally to go over carefully with him the results of his study prior to its publication. The leadership of the University in this matter is as much dependent on good sense as it is upon sound scholarship." It thus appears that the general plan of Dr. Levine's to prepare several monographs on taxation, and to begin the series with the one on mine taxation received the approval, subject to the above reservations, of both Chancellor Elliott and President Sisson.

During the summer and fall, Dr. Levine continued the preparation of the tax bulletin and submitted the first draft to Chancellor

Elliott about the middle of November, 1918. Dr. Levine alleges that the Chancellor read it and pronounced it a "conspicuous" piece of work. But in the interview at this time, the Chancellor showed the first misgivings about publishing the monograph by the University. He suggested that Dr. Levine submit copies to the State Board of Education, which Dr. Levine agreed to do on condition that if they declined, he (Levine) should be at liberty to publish it under such auspices as he found convenient.

In March there had been a tax conference held at Lewistown. Dr. Levine was asked to address the conference. The subject of mine taxation had long been a live issue in the state. The agricultural interests of the state were convinced that the mining interests were not paying their full share of the taxes while the mine owners asserted that they were paying their full share of taxes. At this conference a representative of the Anaconda Copper Company read a paper defending the position of the mining interests. Dr. Levine claims to have spoken of the general problems of mine taxation. The following day another representative of the Anaconda Copper Company made a bitter attack on Professor Levine and his speech of the previous day. This event caused considerable discussion throughout the state. Finally, charges on account of the Lewistown speech, were brought against Professor Levine at the June meeting of the State Board of Education by Bruce Kremer of Butte. The whole matter was referred by the Board to the Chancellor for investigation. This incident is a part of the whole situation relating to Dr. Levine's suspension.

The next step concerning the publication of the monograph was a conference between Chancellor Elliott, President Sisson, and Professor Levine on December 17 or 18, 1918. The question considered was whether the University should publish the monograph. The Chancellor suggested that the character of the legislature was such as to make it dangerous for the University to publish it. President Sisson insisted that the University was entitled to the credit of having done this service to the people of Montana. It was finally agreed that Dr. Levine should place the bulletin in the hands of the printer, have it set up in the form of the University publications, and in the meantime, he should submit typed copies to members of the State Board of Education. In case the Board approved the bulletin, a University title page would be placed on it. But in case it was disapproved, then Levine could publish it privately. On December 20, three copies were sent to the Chancellor for use of the Board of Education. The next day Levine left for Washington, D. C., to undertake some work for the government.

On January 28, 1919, Dr. Levine had a conference with Chancellor Elliott in Helena. The Chancellor reported that the Governor was opposed to the publication of the manuscript by the University. The Chancellor stated that there were a few paragraphs that were biased. Levine offered to make any changes that would eliminate

the slightest suspicion of bias, but the Chancellor stated that it would make no difference, that the University could not publish the monograph under any circumstances. This decision was given after a five hour conference between Chancellor Elliott and Professor Levine. The results of the conference were reduced to writing and appear in the copy of the Chancellor's letter to Professor Levine which follows:

UNIVERSITY OF MONTANA, OFFICE OF THE CHANCELLOR,
STATE CAPITOL, HELENA, MONTANA,
January 29, 1919.

DOCTOR LOUIS LEVINE,
State University,
Missoula, Montana.

My dear Doctor Levine: This will serve to make definite record of the decision, communicated to you orally at our conference yesterday, regarding the publication of the monograph you have prepared on mine taxation in Montana.

In accordance with our earlier understanding, a copy of the manuscript was sent, on December 26th, to Governor Stewart as chairman of the State Board of Education, with the request that it be examined by him, and by other members of the Board, if he thought necessary, with a view of determining whether or not it should be published in the series of the University of Montana studies. Owing to Governor Stewart's illness and the heavy demands upon him by reason of the opening of the legislative session, he was unable to complete his examination of the manuscript until last Saturday. On account of your own absence in Washington such delay seemed to be of no consequence.

It is the judgment of Governor Stewart, and in this judgment I concur, that it is neither timely nor proper for the University to assume any responsibility whatever for the publication of the manuscript in its present form.

The question of mine taxation is one around which sharp political controversy has ever been waged in Montana. Two years ago the Legislative assembly created a special commission to study and report upon the tax situation in the state. The results of the work of this Commission are before the legislative assembly now in session. From every standpoint of sound public policy it is untimely and inappropriate for the University, as an agency of the state, through any of its representatives, to intrude itself into discussions of the tax problem. Any such intrusion by the University is bound to be misunderstood by the public and by the members of the legislature.

The University represents the people of the entire state. It is obliged to perform those duties specifically assigned to it. It may be seriously doubted whether the University, even in its scientific and investigative work, unless requested to do so by the duly constituted authorities, is justified in involving itself in the controversial discussion of the tax problem. Neither should it be obliged to sponsor the apparently prejudiced attitude reflected in a number of places in your manuscript. You will recall that the personal bias of your argument has always been my principal criticism of your present study. Illustrative of this, may I call your attention, in particular, to the first paragraph of your chapter six. Furthermore, I do not think it could be fairly said that the general tenor of the opening chapter of the monograph was free from certain prepossessions.

Entirely apart, however, from the character and content of the monograph itself, I have a firm conviction that, notwithstanding the limitations which such a policy apparently places upon the greatest usefulness of the University, the development of the institution and the confidence reposed in it by the people of the state, will be best conserved by avoiding all active participation in, and also all partisanship toward, those questions which sharply divide our people politically. Weighing all the existing circumstances it seems best for the larger and permanent interests of the University that any publication of this bulletin be indefinitely postponed.

Very respectfully yours,

(Signed) EDWARD C. ELLIOTT,
Chancellor.

It should be remembered that the manuscript was by the date of the above letter already in type. On February 4, 1919, Dr. Levine wrote the following letter to Chancellor Elliott announcing his intention to publish the bulletin on his own initiative:

February 4, 1919.

CHANCELLOR E. C. ELLIOTT,
Helena, Montana.

My dear Chancellor Elliott: I have your letter of January 29th and have given it very careful consideration. Though you remarked at our recent conference in Helena that you would prefer a brief reply either in the affirmative or negative, I feel that your letter calls for a more detailed statement from me. In view of the seriousness of the matter, I take the liberty to beg your indulgence for a few minutes longer.

1. I am not conscious of any "prejudiced attitude," "personal bias" or "prepossessions" in the matter of mine taxation. I expressed to you my willingness to eliminate the first paragraph of Chapter Six, or any other paragraph, and to change in every legitimate way the wording of Chapter One or of any other chapter which could possibly give rise to the slightest suspicion of bias. But you emphatically told me at our recent conference that it would make no difference in so far as the publication of the bulletin was concerned.

I wish to make clear that I have no "prepossessions" in the matter of taxation in general. When I came to Montana, I had no more interest in taxation than in a thousand and one other economic problems. I had no pet theories on the subject. The tax problems of the state were literally thrust upon me, first by the suggestion from the Chancellor's office to study the question of University finance, and secondly, by the request from a member of the legislature to assist him in the preparation of certain tax measures. I was encouraged to attend the tax conference at Lewistown, and I chose as my topic the question of tax administration. I substituted the question of mine taxation only at the urgent request of some members of the committee who organized the tax conference (notably Mr. B. C. White), and who wanted me to present the question from a general point of view. I tried to do that at the Lewistown meeting, and though my Lewistown speech has been the subject of discussion at several meetings of the State Board of Education, not a single member of the Board, according to your own statement, has been able to find evidence of bias or misinterpretation in it. I have tried to maintain the same attitude in writing the bulletin. I am willing to submit my bulletin to any jury of experts in the United States.

2. The University not only encouraged me to speak and to write about mine taxation, but reduced my teaching schedule during the spring quarter of 1918 by three hours in order to give me more time to carry on any research work. Nevertheless, when you pointed out to me in November, 1918, that it would be detrimental to the University to assume responsibility for any such study, I immediately agreed to publish the bulletin at my own expense and responsibility. The idea of submitting the bulletin to the Governor and to other members of the Board of Education was suggested by you in the hope of enlisting the support of the Board of Education and of obtaining their consent to have the bulletin published by the University. I accepted your suggestion in order to meet your ostensibly strong desire to put the bulletin before the public as a University publication. At our conference in President Sisson's office in December, 1918, before I left for Washington, the question was clearly put in that form. You agreed that it would be a bad precedent to submit the private publication of a member of the faculty to the censorship of the Board of Education. I was willing to publish the bulletin as my private enterprise. But you claimed that the University had contributed to the preparation of the bulletin and therefore had a "vested right" in it. In deference to this claim, I agreed to submit the manuscript to the Governor and to hold it in the press so that if the Governor approved of it, we could put an appropriate University title-page on it. It was also part of our agreement that I print

the study in standard university bulletin form so that it would not differ from other university publications.

3. We specifically agreed at our conference in President Sisson's office (Dec., 1918) that there would be no question of my right to publish the bulletin in case the University refused to do so.

4. In view of the above, I have decided to proceed with the publication of the bulletin. I sincerely believe that by so doing I shall best serve the general interests of the State and the cause of scientific social research as well as the ultimate interests of the University.

Very truly yours,

(Signed) LOUIS LEVINE.

The result was that the Chancellor suspended Dr. Levine on February 7. The State Board of Education had adopted June 22, 1918, an Administrative Memorandum No. 100 relating to tenure of office of members of the faculties of the various state institutions, to suspension by the Chancellor, and to review by a Service Committee composed of members of the faculty. This Memorandum provides that in cases of gross inefficiency, reprehensible conduct, or insubordination, the Chancellor may suspend any administrative officer, or member of the instructional or scientific staff until the next regular meeting of the Board. In such cases the payment of salary shall cease at the time of suspension. If the charges made are not sustained by the Board, salary shall be paid for the period of suspension.

The eighth section of the Memorandum provides for a Service Committee as follows:

For the purpose of securing to all administrative officers and members of instructional and scientific staffs proper professional tenure, and for the purpose of promoting efficient service to the University, there is hereby established in each of the institutions of the University, a Committee on Service to consist of one professor appointed by the Chancellor, one professor appointed by the President, one professor elected by the faculty of the institution. The members of such committee shall be appointed to serve for one year beginning September first. Whenever any member of the Committee on Service becomes disqualified for any reason, it shall be the duty of the proper appointing officer to appoint a successor for the unexpired term.

It shall be the duty of such Committee on Service, at the direction of the President, and upon the request of any administrative officer or any member of a staff whose appointment is not to be renewed, or who is under suspension, to examine fully into the circumstances or charges, and to submit a report of its findings to the officer or member involved, and also to the President of the institution. The President shall transmit such report to the Chancellor for the consideration of the Board. At the time of such consideration the officer or member involved shall have the right to appear personally before the Board in his own defense.

Under the terms of this regulation Professor Levine laid his case before the Service Committee. At first Chancellor Elliott refused to make a statement to this Committee on the grounds that the Committee had decided to make its hearings a matter of public record, rather than hold executive sessions. He later did make a statement to the Committee and after this statement was made, the Committee rendered the following report:

FINDINGS OF THE COMMITTEE ON SERVICE OF THE MONTANA STATE
UNIVERSITY IN THE MATTER OF THE SUSPENSION OF
DR. LOUIS LEVINE

On February 7, 1919, Dr. Louis Levine, Professor of Economics in the Montana State University, was suspended by Chancellor Elliott on charges of "insubordination and unprofessional conduct prejudicial to the interests of the University." At the request of Professor Levine, President Sisson, on February 10, instructed the Committee on Service to investigate and report on the case in accordance with the "*Regulations in Regard to Tenure of Office of Instructional and Scientific Staff*" adopted June 22, and contained in Administrative Memorandum No. 100, dated June 29, 1918.

In accordance with this memorandum, the Committee on Service has investigated the case of Professor Levine, and hereby submits its findings and recommendations.

The Committee has not confined itself to a consideration merely of the legal phases of the case, but has gone fully into all matters which bear upon the question whether Dr. Levine was rightly and justly suspended, including matters which bear upon the equity, fairness and justice of the procedure that has taken place.

The matter involves a few very fundamental questions. Has a member of the faculty the right to publish the results of his investigations in his chosen field, whether or not the university may have assisted in the effort to gather the material? Is it either a wise or a just policy for the Chancellor or anyone else to order an individual not to publish such results at any time or in any manner? Is a request couched in polite language in the form of a suggestion to be considered an order? In case a professor considers this not an order, and considers he has a right to publish the results of his own researches, is it just to consider him insubordinate for so doing, knowing the wide and varying interpretations which may be placed on the word? Is such a policy of procedure as that outlined by the Chancellor for the best interests of the profession, of men engaged in universities, and of the universities themselves? Who should be the ultimate authority in rendering decision on what is or is not proper for publication, the investigator, or administrative officers? Is the summary method of procedure here adopted, involving instant suspension for insubordination, loss of salary, delay in decision, probability and possibility of public comment, unrest among faculty, students, alumni, and friends, calculated to produce the best results sought for all involved?

These are the questions which the Committee on Service faced, and which are in part answered in this report.

The date for hearing the case was set for February 20. Dr. Levine submitted a statement of his side of the case. The statement of facts contained in this statement the committee finds to be substantially correct. A copy of this statement is appended.¹

Chancellor Elliott's letter of January 29, a copy of which is appended, states his side of the case as summed up by him to the committee.

Dr. Levine was given permanent tenure of position in accordance with Memorandum No. 100. The contract was submitted to Dr. Levine August 31, 1918. It thus appears that at that time there was nothing against him.

The trouble has arisen over the publication of the book "The Taxation of Mines in Montana" through a private publisher. The correspondence between Chancellor Elliott and Dr. Levine, supplemented by correspondence with President Sisson shows that approval was granted for publication by the University of a series of monographs on taxation, and they were ready to assign funds for that purpose. In December, 1918, the Chancellor thought it unwise that this particular monograph should appear under University auspices. Dr. Levine offered to print it himself, and it was agreed that the matter should be set in type, the title page to be determined after the contents had been examined by the Governor. The Chancellor's memorandum of January 29 shows a definite decision not to print the publication at all. The closing sentence of this memorandum reads:

¹ Not reproduced in this report.

"Weighing all the existing circumstances it seems best for the larger and permanent interests of the University that any publication of this bulletin be indefinitely postponed."

Shortly after this letter was received the book appeared under the auspices of a private publisher.

The above includes the incidents or factors which are the basis for the charge. The fact that Dr. Levine was given a contract with permanent tenure in August, 1918, that he was advanced in position and salary rapidly prior to that time, that he was encouraged to take part in tax meetings and conferences, and that he was asked to assist in framing tax legislation, are evidences of his ability and of the high value placed upon his work.

There is no intimation that his work at the University was impaired or slighted because of his investigations.

The insubordination and unprofessional conduct consisted, therefore, in publishing by private means the monograph on "The Taxation of Mines in Montana," after the Chancellor's expression that any publication should be indefinitely postponed.

The question "did the Chancellor ever specifically order Dr. Levine not to publish his monograph" is one of the few issues of fact requiring consideration. From the testimony of the Chancellor the committee believes that he did specifically intend to order Dr. Levine not to publish his monograph. Considering the letter of January 29 itself, it would be possible to interpret it either as an order couched in polite language, or as a request, coupled with an argument against the publication of the monograph. It would be obviously unfair to punish a member of the faculty for insubordination because he did not comply with a statement in any way ambiguous or uncertain. It is the opinion of the committee that where the Chancellor intends to issue an order, it should be couched in terms that can not be misunderstood. However, this particular letter purports to be, and is stated by Dr. Levine to be, a summary of the conclusions reached at a conference between the Chancellor and Dr. Levine held the day previous to the date of the letter. From Dr. Levine's statement of what was said at that conference the committee is convinced that he had every reason to believe that he would be suspended in case of the publication of the monograph, and that therefore he understood that he was ordered not to publish it.

Dr. Levine contends that the Chancellor had no right to issue such an order. Considering the admitted fact that the work was originally begun with the approval, if not at the instance of the Chancellor; that Dr. Levine carried on his work for two years with the active assistance of the University; that he devoted all of his spare time during that period to the gathering of material and the preparation of the manuscript, time which he would otherwise have devoted to profitable research and writing upon other subjects; that the Chancellor had previously given his consent to the private publication of the book in case the University decided not to issue it as an official bulletin; that a little more than a month prior to the letter referred to the Chancellor had reached an understanding with Dr. Levine that the manuscript was to be set up and printed with the exception of the title page, pending a decision by the Governor as to whether the monograph should be published as a University bulletin, and that in the event that it was decided not to so publish it Dr. Levine should publish it privately at his own expense; that pursuant to that understanding the manuscript had been given to the printer and was about ready to come off the press at the time of the writing of the letter referred to; that the monograph represented the entire fruits of Dr. Levine's efforts, and that he was entitled, under the practice prevailing in all standard non-denominational educational institutions, to have the results of his investigations published in order that he might obtain credit for his work among educational and scientific men; the committee believes that the order was certainly extremely unfair and unjust.

The Chancellor explains this sudden change of attitude on his part by stating that his former policy of approval of Dr. Levine's work was a mistaken one. But the committee fails to see why Dr. Levine should have been made to suffer a hardship because of the Chancellor's mistakes.

The committee is also of the opinion that the order of the Chancellor represents an unsound educational policy. In issuing this order the Chancellor assumed to direct the pronouncement of expert opinion by members of the faculty. President Lowell of Harvard holds that a university, for its own sake, cannot afford to censor its professors, because it thereby assumes responsibility for what it permits them to say. In his own words, "There is no middle ground. Either the university assumes full responsibility for permitting its professors to express certain opinions, in public, or it assumes no responsibility whatever, and leaves them to be dealt with like other citizens by the public authorities, according to the laws of the land." If Dr. Levine had been permitted to publish his monograph privately no one could have charged the University with responsibility for his statements. If his statements are false or inaccurate their refutation will be inevitable. If the policy represented by this order is to be permanent the University will hereafter be chargeable with responsibility for all statements made, privately or otherwise, by members of the faculty.

Concerning the wisdom of this policy Chancellor Elliott states that "consideration of the case involves the all-important question as to whether the Chancellor's policy of insisting that University men shall not mix in legislative political controversies is a sound one." If this policy is carried out, it means that no member of the faculty may discuss any of the public questions under consideration at the present time, such as the tariff, the League of Nations, the control and ownership of railroads, health inspection in the schools, social control, political organizations, and the like. If professors of economics and politics can discuss none of these questions, their departments should not be permitted to continue in the University, for the very fact that we have men employed in these subjects implies that they must make a study of them and give the result of their investigations to the people of the state. It does not follow that their conclusions must be accepted, for the opinions of members of the faculty are worthy of consideration only so far as they are supported by indisputable facts and sound logic. In case their arguments are weak, the weakness can be detected and exposed. Nothing has been more the subject of party political differences than the tariff, and yet dozens of books on that subject have been written by university professors of economics in all parts of the country. They have written upon this subject, and their right to do so has never been denied, for the reason that it is one of the subjects they are employed to investigate and to teach in the class-room. A policy which forbids them to write upon that subject, or upon the subject of taxation, on the ground of non-interference in partisan politics, would equally require the elimination of such subjects from the university curriculum.

It is further argued by Chancellor Elliott that since the appointment of the State Tax Commission, Dr. Levine, by the publication of his monograph, was intruding upon another department of the government. It must be remembered, however, that Dr. Levine was kept at his work during the past two years, during which time the State Tax Commission had been at its work, and that never, during this time, was the question even raised that his work was intruding upon the work of the Tax Commission. Nor does it seem to the committee that there is any justice in this contention, for it can not be assumed that the Tax Commission is the only source of authority to be consulted. It is pointed out by the Chancellor that Dr. Levine's conclusions differ from those of the State Tax Commission. If Dr. Levine's conclusions are better than those of the State Tax Commission full credit should be given; if they are not so good, that is easily ascertained, and no harm is done. In any event it is far better to permit freedom of expression on a subject in which the public is so vitally interested.

Concerning the question of the policy above stated, some hold the opinion that as a railroad president may pigeon-hole the report of an engineer who has been sent out to investigate a building plan which an employed architect may have prepared with infinite pains, or as a capitalist may keep in his desk a report of any employee who has investigated a proposed project, so may the Chancellor withhold temporarily or permanently any report which may be prepared by faculty members, and which he may think should not be divulged.

The situations are not analogous. There is a vast difference between a private

trust and a public trust. The University belongs to the people of the state. The members of the faculties are employed in the service of the people of the state. The Chancellor should not even claim the right or privilege of representing the people of the state. He should not say what the people shall or shall not hear or be told. If he is to be judge of what one may not say he must of necessity be judge of what one may say. He becomes the sole individual to decide, and on his decision will depend the policy of what the public shall or shall not be told by men who have devoted their lives to the study of particular subjects. Such a policy is antagonistic to democratic education and institutional advancement, and particularly to the idea of a state University, and autocratically decides questions and policies for which other men may be employed. It surely is not the proper attitude for the University to take to separate the people from information which is of interest to them.

It has been contended that, however unsound and unwise such a policy as that represented by this order may be, nevertheless it was for the Chancellor to determine upon questions of policy, and that it was the duty of Dr. Levine to submit to such determination, no matter how much he may have disagreed with it, and no matter how much it affected his own personal conduct and affairs. Dr. Levine contends that the Chancellor had no more right to make an order touching his private publication of his book than he would have to interfere in any of his private concerns.

Chancellor Elliott contended before the committee that this was not a private publication because Dr. Levine stated on the title that he was "Professor of Economics in the Montana State University." It is the custom of book publishers to place the title beneath the name of the author in practically all publications, and no one considers such publications as emanating from the universities to which the authors are attached. Because the author of a legal work describes himself as a member of the New York Bar, it does not follow that the work is to be understood as the work of the New York Bar Association. Works written by men who describe themselves as members of the Royal Society, National Geographic Society, or American Association for the Advancement of Science, are never understood by anyone to be official publications of those societies. If Dr. Levine had described himself as a former professor of some university such description would have had the same significance as the one used by him.

Chancellor Elliott holds that the University has a vested right in the monograph over which this controversy arose. The committee agrees with the statement, but it further believes that the interest of Dr. Levine and of the University may be compared to that of a partnership, but this partnership was formed for the purpose of publishing the monograph. If Dr. Levine, after having used University time, should have refused to allow the publication of his monograph, he would have been destroying the vested rights of the University. But the converse is also true: that the University in refusing to allow Dr. Levine the right to publish his monograph not only failed to carry out the understanding agreed to at the time the partnership was formed, but it furthermore attempted to destroy the vested rights of Dr. Levine without offering him any adequate compensation. It is the opinion of the committee that the University, in forbidding Dr. Levine to publish his monograph was not only refusing to use its own interest in the work, but was attempting to destroy the interest of Dr. Levine. Such does not appear to the committee to be either just or equitable.

Whatever rights the University may originally have had in this manuscript were expressly waived by the Chancellor in a conference with Dr. Levine on December 18, last, when it was agreed that if the University did not publish the work as an official bulletin Dr. Levine might publish it privately. And since, pursuant to that agreement, Dr. Levine put the manuscript in the hands of the printer and contracted a heavy indebtedness for the printing of the work, in reliance on such understanding, the Chancellor and the University were therefore estopped to withdraw that waiver.

We must conclude therefore, that this was a private publication. Independently of the question of whether he ought to do so, does the Chancellor have the legal right and power to forbid such private publication. If he does have such

right a wilful disobedience of the Chancellor's order not to publish would constitute a case of at least technical insubordination.

It must be conceded that there are some orders which the Chancellor has no right or power to give to the faculty members. Under Memorandum No. 100, referred to above, faculty members are given permanent tenure, and can only be dismissed for cause. One of the causes named is insubordination. If the Chancellor has the right and power to give any order he may see fit to give, then Memorandum No. 100 is a farce, for the Chancellor, by giving an arbitrary and intolerable order to a faculty member, could thereby force him into insubordination, and the whole proceeding would amount to an arbitrary dismissal.

At the same time, it is conceded that within certain fields, the Chancellor, as the directing head of the institution, has the right to give orders to those under his direction. The question is, where is the line to be drawn between orders which may be given by the Chancellor and those beyond his power? It has been suggested that the power of the Chancellor to give orders and directions extends only to the official acts or conduct of members of the faculty, as distinguished from their unofficial acts; that is to say, that a faculty member is subject to the Chancellor's orders only when he is acting in the scope of his employment, and that when he is engaged in the pursuit of his own private affairs he is no more subject to the Chancellor's orders than is any other person. This is a question to which the committee has devoted its most earnest thought and consideration. It is willing to go further than the proposition just stated, and say that whether the matter involved be public or private, official or unofficial, the Chancellor, as directing head of the institution, has the legal right to make and enforce any order which is reasonably adapted or calculated to promote the University's welfare, having regard to the rights of the individual and the hardships that may be imposed on him as well as the benefits to the University.

The Chancellor's position is that the suppression of the monograph would promote the University's welfare, for the reason that its publication would alienate certain friends of the University in the state legislature, and prevent the expected and needed appropriation. Upon this point the committee can not close its eyes to the fact that the monograph was published, and that its publication was not followed by the results predicted. On the other hand, the committee believes that the suppression of this monograph would have alienated other friends of the University, and would have subjected it to merited criticism for its lack of good faith and fairness toward the people of the state. In short, the probable detriment to the University from suppression far outweighed any possible harm from the publication of the work.

It is also suggested that the order tended to promote the University's interests because it would promote the policy of non-interference in legislative political controversies. What has been said heretofore in the discussion of the wisdom of such a policy, is, it is believed, sufficient to show that such a policy does not promote the best interests of the University.

When we consider the question of whether this order was reasonably adapted to promote the University's welfare we are confronted by the fact, admitted by the Chancellor himself before this committee, that it must have been foreseen that the enforcement of this order would lead to all of the undesirable publicity which has attended this whole affair, and which has brought down upon the University of Montana the condemnation of some of the most widely read newspapers and periodicals of the country, and which has made the University stand in the minds of people throughout the United States as a horrible example of narrow-mindedness, bigotry, and intolerance. The committee does not wish to be understood as expressing the opinion that such criticisms are justified. The point the committee makes is that they were foreseeable and probable consequences, and whether they are justified or not, the University has suffered irreparable harm therefrom. Not only have the members of the faculty of the State University been made to feel that they have lost all independence of thought and action, which are absolutely essential to the maintenance of a university's morale, but the day is far distant when the University of Montana will be able to attract to its faculties broad-minded and eminent scholars of independence and initiative.

In view of these facts, can it be said that the order that the book should not be published, was reasonably adapted to promote in any way the best interests of the University? The committee thinks rather that it was calculated only to injure the reputation of the University, weaken the morale of the faculty and students, destroy the confidence of the people of the state in the intellectual integrity of their educational institutions, and to subvert all sound principles of educational policy concerning freedom of thought and expression, as well as to work hardship and injustice on an individual member of the faculty.

We therefore believe, and are forced to the conclusion, that the order was outside of the powers of the Chancellor, and was one which he had no right, legal or moral, to make, and that therefore Dr. Levine was acting entirely within his rights when he ignored the order and published the book, and that therefore such publication did not constitute insubordination.

A further charge of "unprofessional conduct" was contained in the telegram ordering Dr. Levine's suspension. Chancellor Elliott stated to the committee that he made no charge of unprofessional conduct other than that involved in the charge of insubordination. It follows, therefore, that the committee's finding on the question of insubordination determines the whole question.

The committee finds that the charges are not sustained.

Dated this first day of April, 1919.

MORTON J. ELROD,
PAUL C. PHILLIPS,
WALTER L. POPE,

Committee on Service, State University of Montana.

The case was then reviewed by the State Board of Education on April 7. The Board voted seven to three to approve the action of the Chancellor in suspending Professor Levine. It then voted seven to two to reinstate Professor Levine and pay him full salary during the period of suspension.

The above action by the State Board terminates the case. In the treatment of the case, the most satisfactory feature is the report of the Service Committee of the faculty, which shows an admirable understanding of the principles underlying academic freedom, and applies these principles to the specific questions before the Committee with fairness, discrimination and courage. The State Board of Education and the administrative officers of the institution, as well as its faculty, may well feel pride in the dignified and forceful character of this report. If the future decisions of the Service Committee maintain the same character, and if the findings and recommendations of the Committee are in the future sustained by the State Board as they have been in part in this case, neither the Board, nor the citizens of Montana need have any fear for the good name of Montana institutions of higher education; and members of university teaching profession may (subject to the same proviso) be assured that freedom to pursue research and to publish the results of their investigations will not be denied them at this university.

FREDERICK S. DEIBLER.

COMMITTEE ON ACADEMIC FREEDOM AND ACADEMIC TENURE REPORT OF ENQUIRY INTO CONDITIONS AT BETHANY COLLEGE*

I. THE COLLEGE UNDER INVESTIGATION

Bethany College, at Bethany, W. Va., is the oldest institution of learning belonging, from its founding, to the religious body known variously as Disciples of Christ, Churches of Christ, or Christians. Its charter was granted by the legislature of Virginia in the winter of 1840. It was founded by Alexander Campbell, its first president, and was designed to be "a literary, moral and religious school" wherein could be educated the leaders of what was at that time an infant denomination. The college has always given prominence to Bible teaching, and for many years trained the great majority of the ministers of the Disciples.

Like most of the small denominational colleges that abound in the Middle West, Bethany has had a checkered career, more than once reaching so low an ebb that it was uncertain whether it could survive. But it is reported in the 1918 Year-Book of the Churches of Christ as having an endowment of \$473,000, property valued at \$495,000, a faculty of 32 members, and 440 students, of whom 91 were candidates for the ministry, and 165 were young women. The Ministerial Department is not sharply separated from the college as a theological seminary.

While in a general way Bethany College belongs to the Disciples of Christ, the denomination, as a most extreme example of the congregational form of organization, has no direct or official control over the institution. The college is governed by a Board of Trustees who are a self-perpetuating body. It is composed of thirty more or less prominent clergymen and laymen from the Disciples of Christ who serve for a term of three years. They go out of office one third at a time and are eligible for reappointment. Such churches or individuals of the denomination as choose to give anything to the college, or send their young people to it for education, do so. Natur-

* The Appendix frequently referred to in this report is not printed in full but the complete Appendix is on file with the Secretary of the Association.

ally, the majority of those exercising such choice are in the territory not remote from the Panhandle of West Virginia, that is, in western Pennsylvania, eastern Ohio, and parts of West Virginia itself. Only the pressure of public opinion, voiced chiefly by the pulpit and religious press potent within the region where the college gets most of its money and students, can influence the institution from without. There exists a general Board of Education of the Disciples of Christ with which Bethany College is affiliated, but it is just beginning to be a factor in the educational life of the Disciples, and has no control over the policies and conduct of the affiliated institutions. Responsibility for conditions existing at Bethany College, therefore, rests solely upon those who have power to control it, namely its president and its Board of Trustees.

II. THE INVESTIGATING COMMITTEE

In July, 1917, Professor A. A. Young of Cornell University, chairman, Committee on Academic Freedom and Academic Tenure, American Association of University Professors, received through Professor John Dewey of Columbia University a request from Professor H. I. Croyle, late of the Chair of Hebrew and Old Testament, Bethany College, Bethany, W. Va., for an investigation of conditions in the college as to academic freedom and tenure. The request grew out of the dropping of Professor Croyle from the Bethany faculty, a few weeks before the close of the session, after a year of service there.

A preliminary enquiry conducted by Professor Young indicated that there was enough evidence submitted by Professor Croyle to warrant an investigation of conditions at Bethany. Upon submitting to the members of his committee the charges made and the evidence offered in support of them, Professor Young secured the approval of his decision by the committee. He thereupon took steps to secure from among the members of the Association a subcommittee of three to conduct the investigation. The committee was finally made up in January, 1918, consisting of Professor G. D. Hancock, Economics and Commerce, Washington and Lee University; Professor H. L. Willett, Semitic Languages and Literature, University of Chicago; and Professor W. M. Forrest, chairman, Biblical History and Literature, University of Virginia. Both the chairman and Professor Willett are members of the religious body with which Bethany is identified, both are teachers of the same gen-

eral subject as was the professor whose case was to be investigated, and Professor Willett is also an alumnus of Bethany College. These facts guaranteed that the investigation would be conducted without sectarian animus against Bethany College, and with a desire to do full justice to the professor lodging complaint.*

III. THE CHARGES PREFERRED

Professor H. I. Croyle, B.A., Drake University, M.A., Columbia University, B.D., Union Theological Seminary, was notified on August 1, 1916, by a letter from President T. E. Cramblet of Bethany College that he had been "elected to a Bible professorship" in that institution at a meeting of the Executive Committee of the Board of Trustees held in Pittsburgh on July 26. The letter was sent in duplicate, and the signing and returning of one copy to President Cramblet constituted the only contract made between the college and Professor Croyle. All that was said as to tenure and duties was that "It is understood that you will teach this first year about 16 hours per week, and that your work will be Old Testament, Hebrew, and such other biblical subjects as may be mutually agreed upon."

Professor Croyle entered upon his duties at the opening of the session of 1916-17. On May 18, 1917, President Cramblet wrote him as follows:

"At a recent meeting of the Executive Committee of the Trustees of Bethany College, I was instructed to express to you the thanks of the Trustees, and to say that we regret that we are unable to retain your services for the coming year. I am asked to assure you of the good wishes of the members of the Committee and to thank you for the work you have done for the College."

After receiving this notice, practically at the end of the session, Professor Croyle sought an explanation of it from the President, and from the Trustees when they met during the Bethany commencement. Finding that the action of the Committee was final, and learning all he could as to the reasons for it, he endeavored to have the case investigated by the American Association of University Professors, as has been related above.†

Professor Croyle did not reduce his charges against the college to

*Professor Willett was absent on service in France at the time of the completion of the final draft of the report, and was therefore unable to sign it.

† See Appendix A.

a detailed list, but the essential points, as gathered from the evidence submitted may be set forth as follows:

1. That he had been dismissed after a year's service although he had been led by the indefiniteness of the contract and conversations with the President to conclude that his tenure was not merely for one year.

2. That he had been given no notice of the intention of the college not to retain him until just a few weeks before the end of the session, which subjected him to undue hardship in finding employment for the next year.

3. That the Trustees, when he appeared before them a few weeks after receiving notice that he was dropped, refused to specify any charges against him, or tell him any reason for their course, or afford him any opportunity to plead his case.

4. That, the college had, in 1916, dropped two other professors as summarily as he had been dismissed, although one of them had been on the faculty for eleven years; and that one other colleague shared his fate in 1917.

5. That in violation of the principle of academic freedom his dismissal was due to complaints against his teaching as destructive criticism, lodged by students, preachers, and the proprietor of a denominational paper.

IV. THE INVESTIGATION

In his preliminary investigation of the case Professor Young wrote President Cramblet on July 28, 1917 informing him of Professor Croyle's request for an investigation, and asking for full information from the viewpoint of the college. On August 1 President Cramblet replied that Professor Croyle had proved a very incompetent teacher incapable of holding his classes together, that he said things in and out of class which injured the college, that since his dismissal he had entered upon a campaign of falsehood to injure the college, and was wholly unworthy of further consideration. The President added that the action of the Trustees was unanimous and had the approval of the faculty and friends of the college and that "we deem ourselves here able to direct the affairs of the college, and while your organization has a legitimate field, it certainly has no business meddling in this particular instance."

Upon his appointment as chairman of the special committee to make full investigation of the case, Professor Forrest, with the approval of his fellow committeemen, wrote President Cramblet that the main charge lodged against Bethany was that it had, in several instances, dismissed men from its faculty too late in the year, and without any statement of the reasons for such action. He said if the charges were true that probably arose from the fact that the Trustees were busy men who had little familiarity with generally accepted rules of academic procedure, and that the object of the

investigation would be much better attained by inducing the college to conform to approved academic usage than by casting reproach on the institution for any failure to observe such rules in the past. The President was then asked whether he would not try to induce his Trustees to agree, for the future, to explicit contracts of length of periods of employment of professors, several months' notice of intention to discontinue service, frank statement of reasons for dismissal, and opportunity for any professor dropped for cause, to know and answer any charges before final action by the Board.

In the absence of the President, receipt of the letter was acknowledged by Professor W. H. Cramblet, his son, who said that, "Mr. Croyle and the others referred to had been hired at Bethany for the period of one year." After a request to President Cramblet on March 2 to reply to the letter received in his absence, he wrote on March 9 expressing unwillingness to give further attention to the case of Professor Croyle and asserting "Our Board of Trustees feels wholly competent to manage its own affairs," and "For the present we are quite sure that we can make our own rules and conduct our own affairs better than some people who are not able to take care of their own business."

However, the President expressed his willingness to show adequate grounds for the removal provided the committee would pledge their honor as gentlemen to publish the facts as proved.

Professor Forrest replied on March 14 that Bethany could feel assured that the enquiry would be judicially conducted and a full report printed, as had been done in similar cases elsewhere. It was also urged that while Bethany was doubtless quite capable of conducting its own affairs, that neither colleges nor individuals could live to themselves, and that church colleges were most deeply obligated of all to be above reproach in their treatment of their professors.

No reply having been made to the letter by President Cramblet up to May 11, a letter was addressed on that date to Judge J. J. Campbell, a member of the Board of Trustees who had been mentioned in the Croyle correspondence in a way that made it seem likely that he might be interested. Copies of all letters to and from President Cramblet were enclosed, and Judge Campbell was asked for a clear and courteous statement of Bethany's side of the case. After waiting in vain for a reply, a statement of lack of progress was sent Professor Willett of the committee, with the request that he

avail himself of his position as an alumnus of Bethany to secure the co-operation of some one in authority to carry forward the case. He found it impossible to accomplish anything, and thus, after the lapse of more than a year since Professor Young first took up the matter with President Cramblet, and six months after Professor Forrest began the investigation, it appeared that the case would have to be concluded upon the evidence in hand. A digest of the charges, evidence, and findings was, therefore, forwarded President Cramblet on August 10th with the request that he note any exceptions and file any evidence in behalf of the college within two weeks, or the verdict would be returned upon the testimony submitted by the complainant.*

In the meantime, efforts were made to follow up in various directions the evidence which Professor Croyle had gathered from many sources in submitting his case first to Professor Young and then to Professor Forrest. Wherever tested its accuracy and impartiality seemed pretty well established; but it was generally impossible to extract further information from anyone in a form that could be used in the case. The fact that an official investigation was being made, and that the results would be published, seemed to affect both Professor Croyle's friends and the friends of Bethany very much as many people are affected by the prospect of being called into court as witnesses: the fear of a little publicity or trouble robbed them of all desire to further the ends of justice. Former students and alumni, ex-professors and present members of the faculty, even an occasional Trustee, after having written the most violent and damning things about the college, generally responded to official enquiry that they had nothing to say, or that some one else would be the proper source of information, or that their names must not be used in connection with charges made. While this complicated the problem of getting at the truth, it demonstrated that colleges have far more to fear from irresponsible gossip and petty spite than they have from the most drastic official investigations.

On August 29th, President Cramblet abandoned his attitude of silence and wrote a long letter in which he stated quite fully the case of the college administration on the matters at issue.† This opened the way for the third and most satisfactory stage of the investi-

* See Appendix E.

† See Appendix F, especially first two and last three paragraphs; also G.

gation, the first having been the preliminary enquiry conducted by Professor Young, and the second, the work done by Professor Forrest up to the writing of the tentative report.

The final stages of the investigation might have been concluded much earlier but for the necessity of having a member of the committee visit Bethany to gather up what could be learned there, and afford the college the fullest opportunity to submit its side of the case. That required delay till the Christmas holidays, when the chairman could leave his own work. Pending that visit, the claims made by President Cramblet were followed up by correspondence, as far as possible. December 26 and 27 were spent in Wellsburg and Bethany. The time was not the most favorable for the purpose, as the college was almost deserted by students and faculty, and the absence of Professor Croyle overseas, where he served the expeditionary forces, first as Y. M. C. A. secretary, and afterwards as army chaplain, made it impossible for him to be present. Nevertheless the visit served the essential ends in view. Several present or former members of the faculty were interviewed, and President Cramblet received Professor Forrest quite courteously, and devoted several hours to a patient discussion of the case, answering all questions and entering into all details with entire frankness. After following up the visit by correspondence with several persons, it was possible to conclude the case.

Of necessity, the investigation had to be conducted almost entirely by the chairman of the committee. But the other members were consulted and kept fully informed by correspondence and the submission to them of the main documents. Finally, the chairman's report, together with all the letters and papers accumulated in the course of the enquiry, went to them individually for their independent judgment. Thus the report became that of the committee as a whole.

V. CONCLUSIONS FROM THE INVESTIGATION

Upon all the main issues of the Bethany College case the evidence gathered permits a clear verdict. An examination of the documents appended to this report will show that the major charges are admitted. The only question, therefore, is how far the conditions attending the case and shaping the general life and policy of the college, and the type of institution of which it is an example may be regarded as mitigating circumstances. Like most human problems

it can hardly be justly dismissed with a bare statement of the truth or falsity of the specific charges enumerated in the earlier part of this report. A somewhat detailed discussion of the various phases of the case, therefore, precedes the summing up of the verdict.

In the first place there is not the slightest ground for charging any breach of contract on the part of the college in dismissing Professor Croyle or any other professor at the end of any session. Every member of the faculty, of however many years standing, is employed by the year. There may be, and doubtless usually is, a hope that the relation may become lasting, but no such expectation can give to a professor entering into such a contract the right to complain if it is not renewed at the end of any session. This is particularly true of new men whose first year is necessarily one of probation.

The larger universities practically always avail themselves of the opportunity to try out young men such as Professor Croyle by appointing them as instructors or adjunct professors for one year, and freely drop them if unacceptable or unnecessary for another session. It is not in the interest of efficient teaching to deny the smaller colleges this right, even though they find it necessary to supplement the drawing power of small salaries and obscurity with full professorial rank. The policy, however, of continuing men through a lifetime of service on the same yearly tenure is another matter. It is hard to believe that it is best either for the teacher or the college. Nevertheless, under such a policy Bethany College could be guilty of no breach of express contract even when dropping at the end of a session the professor who had served for a dozen years.

A second item in the indictment may also be thrown out, at least in so far as it relates to two men dropped from the faculty. The names of these gentlemen will not be mentioned because they both declined to appear in the case and wanted only to be left undisturbed in the enjoyment of their present positions without regard to conditions in Bethany. It appears that their cases were quite different from that of Professor Croyle, except that they failed to give satisfaction to the college and so were not re-elected. One of them served for a year and was notified that he would be discontinued unless his second year was more satisfactory. Before the second year ended he made it known that he had accepted another position and hence was not regarded as available for the third year, even if the Trustees had been disposed to reappoint him. Having received

a full year's notice that he was not likely to be retained there was no just ground for complaint on that score.

The same seems to be true with regard to the other professor. He taught four years at Bethany and was reluctantly dropped only because one of his colleagues overwhelmed the Trustees with written and oral testimony of his failure to make his teaching worth while. He also had a full year's notice that he would not be retained.

Thus two of the four cases of alleged violation of academic tenure seem not to be relevant, and the other two men having served under one-year contracts, their dismissal involved no breach of the letter of the law under which they were employed. But in their cases it remains to inquire whether they were given adequate notice of the termination of their services. In Professor Croyle's case President Cramblet considers that the numerous difficulties Professor Croyle had with his classes, the complaints which the President had passed on to him during the session, and a manifest inability to fit into the Bethany environment should have made it evident to Professor Croyle that he would not be re-elected. That seems not to have been the case, however, and official notice was not given Professor Croyle until May 18, or practically at the end of the academic year. In the judgment of this committee that did not constitute a proper notice, and Professor Croyle was justified in regarding it as violation of the rights of a professor.

The other case is at once more complicated and more flagrant. Professor W. B. Taylor was on the faculty of Bethany College for eleven years during all of which time he was Dean of the Ministerial Department, and during ten years he was vice-president of the college. He was a middle-aged man with a large family, and had built a home in Bethany. He knew of no dissatisfaction with his work. Yet about two weeks after the session of 1915-16 had actually ended he received a brief note informing him that the Trustees had not appointed him for the next session. He has never lodged any complaint against the college, though naturally feeling hurt by such treatment, but has remained in the village as a friend of the institution while maintaining himself in business in the neighboring town of Wellsburg.

In explanation of this case President Cramblet states that there had been growing complaints of Professor Taylor as a teacher, and that the action of the Trustees was precipitated by Professor Taylor's having organized a movement to have his colleague, mentioned

above, dropped for inefficiency. The year before this fellow-professor was dropped, and the year both he and Professor Taylor were dropped, the latter is said to have appeared before the Trustees with documents and witnesses to prove the incompetence of his colleague and secure his dismissal. In the end the Trustees concluded that both men were unsatisfactory teachers and dropped them both.*

The complications in the case, therefore, arise from Professor Taylor's having been for years identified with the administration of the college without objection to its methods of handling its professors, and exerting himself at the last to have a fellow-professor dropped in the same summary fashion that marked his own dismissal. But whatever may thus be urged in extenuation on the ground of poetic justice, the dismissal of a professor of eleven years' standing with absolutely no previous notice, is a flagrant violation of a teacher's rights. Granting that the interests of effective teaching dictated that Bethany College should remove Professor Taylor, the least that a proper regard for a professor's rights demanded was one year's notice of intention to discontinue.

The next point for consideration is whether Bethany College afforded opportunity to members of its faculty to state their case or plead their cause before dismissing them. It seems that the course followed with Professors Croyle and Taylor is the general rule,—the Trustees act and send notice of their action, and that is final. It would certainly be in the interests of fairness and good feeling to have the professor appear before the Trustees to say what he cared to in his own behalf before settling his case. It would avoid the possibility of sacrificing him needlessly to mere student dissatisfaction or presidential or professorial jealousy. What it would cost the Trustees in extra time and trouble would be more than made up in good fruits of democracy and fair play in the faculty.

Where there is any question of the precise reasons for dismissal, as in Professor Croyle's case, the importance of giving the man a hearing is clear. He states that he did not suspect he was to be dropped, and charges that his dismissal was due to outside criticism of the nature of his teaching. Neither he nor any representative was heard before the Trustees when he was dropped. Although he was permitted to appear before them later his case was not reconsidered, and he states that Mr. Cochran, President of the Board, refused to enter upon any discussion, beyond saying there were no

* See Appendix H, Fourth.

charges recorded against Professor Croyle, and it was none of his business why he was not reappointed.* President Cramblet says that Mr. Cochran replied to Professor Croyle that he was an unsatisfactory teacher. Perhaps both reports are correct, giving different parts of the same conversation. President Cramblet states in further extenuation of the Trustees' course that the meeting was held during the crowded days of commencement week and that it was impossible for them to enter into any kind of a heresy trial, as Professor Croyle seemed to desire. This seemed to them utterly futile as they had acted against Professor Croyle on the purely practical ground of his limitations as a teacher and his incompatibility of temperament.

It may be added here that the excuse of President Cramblet and others for not giving professors timely notice that they would not be retained is that under a former rule to serve notice six months before the end of the session certain men, one notably, spent the time making trouble for the college. This could be done easily in a very small community like the village of Bethany, and, in such a place, had to be endured rather than raise a worse storm by immediately dismissing the trouble maker. While recognizing the practical difficulties here set forth, the committee, nevertheless, feels that they should not be allowed to stand in the way of the rights of professors to reasonable notice and fair hearing. Such cases should be handled at less hurried times than commencement week, and the teaching staff should not be penalized for the misdeeds of one or two individuals who run amuck. President Cramblet states that the cases dealt with in this report, practically reduced to two, are the only ones laying Bethany open to criticism in the past twenty years. That is to the credit of the college, but again emphasizes the fact that the institution has far more to gain than lose in carefully respecting the rights of its professors.

The president of Bethany thinks the college entitled to much credit, as an offset to any violation of professorial rights, in that it repeatedly allows members of its teaching staff to leave on the briefest sort of notice even after they have signed contracts binding them to stay for the next session. The men taken away from a small college at the end of the session or during vacation are naturally its ablest teachers and can be replaced only with difficulty, if at all. The American Association of University Professors may well

* See Appendix A.

consider this problem and recognize that if a college is to be required to give long notice and follow prescribed processes in freeing itself of undesirable professors, there should also be rules that professors should respect in leaving a college for personal advantage.

In passing now from these questions of academic tenure to that of academic freedom a more difficult phase of the case emerges. Here the question concerns the case of Professor Croyle only, for there is not the slightest suspicion that soundness of teaching was a factor in the cases of the other men. To reduce this matter to its simplest terms it will be best to handle first certain charges urged against Professor Croyle by President Cramblet from the earliest stages of this investigation.

The violent and bitter attitude of President Cramblet towards Professor Croyle arose sometime after the latter left Bethany. It is shared to some extent by certain members of the faculty. Primarily it is due to efforts by Professor Croyle to discredit the college with state boards of education that grant teachers' certificates to Bethany graduates. What he did is seen from the letter he sent the Pennsylvania Board of Education, which, by the way, he was fair enough to send to the committee along with other papers without special request. Although nothing has been said to that effect, the president's bitterness seems also due to Professor Croyle's having brought about the investigation by the Association of University Professors. In this latter course Professor Croyle was clearly within his rights. But in the former action he seems in the wrong, particularly as he did not make sure of his facts, and his course might have injured many innocent former students of the college. Considering the sense of injustice under which he was smarting and the uncertainties of his future, and keeping in mind his previous and subsequent good character and gentlemanly conduct, the committee thinks President Cramblet unduly sweeping in his violent condemnation of Professor Croyle's unjustifiable action. But the committee has no desire to defend, in any way, a vengeful attack upon a college by any professor. It must, however, be clearly pointed out that this had nothing whatever to do with Professor Croyle's dismissal from Bethany, for it was subsequent to that event. President Cramblet's own letter of commendation is sufficient proof that at the time he was dropped Professor Croyle was regarded as a man of high Christian character.* Justification of

* See Appendix G.

Bethany's course cannot arise from any reprehensible act later committed by the dismissed professor.

As to the actual reasons for Professor Croyle's dismissal the evidence is somewhat conflicting, although it is possible to reach a clear enough verdict. President Cramblet and Professors Workman and Hover lay emphasis upon Professor Croyle's failure as a teacher and his inability to fit into Bethany life harmoniously. It must be kept in mind that Bethany is a very small village, with a single church and practically no inhabitants outside the college community and a very few people who serve it. The Croyles came from a larger outside world with the critical impatience of young people fresh from college and seminary. They seem to have caused considerable disturbance by disregarding social conventions and openly criticising conservative views and institutions. "Incompatibility of temperament" seems to sum up the matter of their relations to the village and the college. Taken along with failure to hold classes together and satisfy students, this is said to have made discontinuance certain, entirely aside from any question of orthodoxy. President Cramblet seems not to have regarded these matters as very serious in themselves, and justifies his high commendation of Professor Croyle* for another position in a different environment on the ground that many things taken seriously in Bethany would be no impediment elsewhere, and others a young man might easily correct.

On the other hand, Professor Croyle thinks he was dropped because he taught the Bible from the modern critical view, and the Bethany administration and constituency would not tolerate what they call "destructive criticism." That there is evidence in support of this is clear upon looking over the documents and considering the recent history of Bethany College. Indeed it will be seen that President Cramblet admits that Professor Croyle would not have been retained at Bethany on this account, although he was actually dropped because of the practical objections noted above and would not have been retained had he been "the soundest teacher in the world."

The president put it thus in his letter to Dean Todd, "He has a little too much of the new theology for us at Bethany,"* or as he wrote Professor Young, "He said a lot of things in classes and in addresses which did injury to the college." Professor Croyle states that when he interviewed President Cramblet as to the reasons

*See Appendix D.

why he was not retained the latter answered, "It was because I was teaching 'Higher Criticism' and 'Destructive Criticism' in my Old Testament classes. . . . That the Trustees of Bethany would not stand for a modern interpretation of the Bible; that they would cease to support the college financially if such teaching were tolerated."*

Professor W. R. Walker of Bethany wrote Professor Croyle to the same effect, in a letter approving the course of the college, "That you were not re-employed is true, and your position on controverted critical questions was the reason, as I was informed. . . . I have good reason to believe that the faith of more than one student would have been destroyed had it not been for their coming to me with their trouble. You certainly cannot be ignorant of the fact that your teaching was responsible for so large a per cent of your students leaving your classes at the end of the first semester."† He also followed up his former colleague by writing to a preacher who was a zealous opponent of "destructive criticism" in the state where Professor Croyle found a new professorship. The preacher later took up the matter and wrote, "Now in regard to the man you have with you I will say that Professor W. R. Walker of Bethany College told me that he had been dismissed because of destructive criticism."

To the same effect is the evidence presented in the appendix in extracts from the letters of Mr. Russell Errett, a trustee of Bethany and guiding spirit of "The Christian Standard," and the Rev. George P. Rutledge, editor of the same denominational weekly.

While at Bethany Professor Forrest asked Mr. J. V. Balch, a professor when Professor Croyle was there, but since resigned, whether failure to re-elect Professor Croyle was due to ill success as a teacher or to lack of orthodoxy, and his opinion was that the latter was the real cause. Also Professor H. L. Calhoun who succeeded Professor Croyle said, when interviewed, that he thought he was better able to give the real reason than President Cramblet, and that undoubtedly Professor Croyle was dismissed because he was a destructive critic. It is only fair to add that Professor Calhoun went to Bethany from a sister college because it refused to dismiss its president and four or five of its professors on heresy charges which he preferred, and that his zeal for orthodoxy probably has led

* See Appendix A.

† See Appendix B.

him to stress that matter to the exclusion of others which President Cramblet has emphasized.

How far the other matters grew out of Professor Croyle's radicalism in teaching it is difficult to determine. President Cramblet told, when interviewed at Bethany, of being called one night to the girls' dormitory because a number of them were weeping and well-nigh hysterical over an explanation Professor Croyle had given them in class of the opening verses of the sixth chapter of Genesis. The interpretation was in accord with practically all modern critical commentaries. Also Professor Walker evidently believes, as does Professor Croyle, that the reason students left or refused to enter his classes was that he was a "destructive critic," and not merely an ineffective teacher.

The question here arising involves more than this particular case. It is whether the dismissal of a professor from a church college for teaching out of harmony with the beliefs and wishes of its constituents and management can be construed as a breach of academic freedom.

Upon this question the views of the American Association of University Professors are perfectly clear. Professor Young thus wrote Professor Forrest when asking him to serve on the investigating committee, "Of course, our association does not attempt to impose any standards of scholarship upon denominational colleges." Later to the same effect, "The important point, it seems to me, is not whether Bethany College accepts the results of modern scholarship, nor even whether it permits real freedom of research and of teaching."

Let it, therefore, be clearly noted that the Association makes no attempt to dictate what type of religious or philosophical or political thought shall be taught in American colleges. But it does emphatically insist that any college that proposes to require its professors to keep their research and teaching within prescribed limits, on pain of dismissal, shall make that clear to them when they are appointed. The views just quoted above are all qualified by the strongest assertions of the duty of colleges to the general public, their students, and especially their professors in this particular. Assuming, then, for the moment that questions of orthodoxy had some bearing on the case, the enquiry upon this point resolves itself into a question whether Bethany College let Professor Croyle know in advance that he must limit his biblical teaching to any particular type of thought.

The charges lodged against him cover methods of historical and literary criticism of the Bible common to no particular religious communion. Practically all denominations are divided into radical and conservative wings upon such questions, and that is emphatically true of the Disciples. Hence it would be impossible to know in advance of specific information whether any congregation or college in the brotherhood would require a particular type of teaching on such questions.

Professor Croyle holds that he had explicit assurance when he accepted the call to Bethany that he would have complete freedom to teach the Bible as his conscience and reason dictated. "From the Bethany College Bulletin and statements made by the president I was led to believe that I should have perfect freedom of scholarship in my classes." Again: "I was given to understand that the institution wanted a man in this department who was up to date in his methods and constructive in his work." The statements in the college catalog upon which he relied were such as the following, "Bethany seeks the latest and best results of modern scholarship without becoming an advocate of the vagaries or opinions of any school of thought." The questions of "authorship, time, and place of writing" the books of the Bible are investigated. "The latest results of Archeology are used in an attempt to understand the vitality of the Prophetic Activity." That Professor Croyle was not mistaken in his recollection of what he was told, nor unwarranted in reaching the conclusions he did from catalog statements he regards as corroborated by a letter from Dean Todd to him on June 1, 1917, "In talking with President Cramblet before you assumed your duties, I asked him if you would be permitted freedom in your teaching. I concluded from what he said that you would."*

Certainly Bethany had no reason to expect that Professor Croyle would interpret the statements of its president and catalog otherwise than as he did, nor teach in any spirit other than that he followed. He was not a graduate of Bethany, but of another college not above suspicion by the ultra-orthodox of the denomination. His graduate work had been recently finished at Columbia and Union Theological Seminary which would be considered hotbeds of "destructive criticism" by the men who later objected to Professor Croyle's teaching. The evidence shows that he taught substantially as he had been taught in the institutions whose

* See Appendix A, and Bethany College Catalog 1915-16.

instruction and degrees must have been almost the sole criterion by which his fitness for a chair at Bethany was decided by President Cramblet. To the mind of Professor W. R. Walker, his offence was in teaching "the theories of Kent, Driver, and others of like thinking." The text-books of those men are so widely used in schools, colleges, and even Sunday Schools that a young graduate of Union Seminary could hardly be expected to regard them as destructive.

Nevertheless, after reviewing Bethany's past history of consistent adherence to the conservative views of its denomination, and giving its president credit for the most elementary honesty in statements he has made, the committee is of the opinion that Professor Croyle might have known in advance what he seems to have realized only later to his sorrow, namely, that to Bethany a Bible teacher "up to date in his methods and constructive in his work" and free from "the vagaries or opinions of any school of thought" meant only a conservative of the type of those who preceded him, were his colleagues, and have succeeded him. He and his friends used words in one sense and the Bethany people used them in another, with inevitable misunderstanding. Since that time the college has revised its catalog and taken out the sentences cited by Professor Croyle. It contains at least one statement indicating that it views all modern critical biblical scholarship of the type popularly called higher criticism as "destructive criticism." As indicated above, it has employed Professor Calhoun and another professor from the same institution because of their conservative orthodoxy, their salaries, in fact, being paid by men of the denomination who would tolerate nothing else. While it is now catering more pronouncedly than ever to that wing of its church, there is nothing in its past history to indicate that it intended to lead Professor Croyle to believe that he could follow a different course at Bethany.

Without in any sense approving the attitude of Bethany College in this respect, the committee thinks the college has always made its position reasonably clear to its professors, and that there has been no breach of the implied terms of the understanding accepted.

Reducing the above findings to brief summary statements we get the following:

1. There was no breach of contract with Professor Croyle or others, since Bethany College employs all professors upon a one-year tenure.

2. That in the case of Professors Taylor and Croyle serious injustice was done by sending notice of non-election at the end of the session.

3. That Professor Croyle was not granted a hearing as to cause of non-election prior to action by the Trustees, and they refused to go into his case when he later appeared before them.

4. That while Bethany College does not allow freedom in biblical teaching, and admits that it would have refused to re-elect Professor Croyle because of the content of his teaching, it seems to have acted largely upon other grounds; and in view of its long established position on biblical criticism the restrictions put upon its professors in that department may fairly be presumed to be known to and accepted by those who accept professorships.

VI. GENERAL RECOMMENDATIONS*

Several of the members of the academic freedom and academic tenure standing committee expressed the opinion that an investigation of Bethany College would hardly be justified unless it could be regarded as a type, and used as a sort of text for general suggestions to a whole class of institutions. In the hope of making this report constructive and helpful towards a solution of some of the many problems of college administration, these observations and suggestions are added. Except where the remarks are obviously concerned with matters at Bethany College they are to be regarded as applying to the class of institutions rather than to that particular college.

Higher education in America owes much to the type of institutions to which Bethany belongs, and no inconsiderable amount to that college itself. The small church colleges of our country were almost invariably the first institutions of higher education in the various districts of the United States. Bethany was practically a pioneer for its region in 1841 when it opened its doors to students, and the men and women there trained have been a potent factor within and beyond the denomination to which it belongs.

On the part of some state universities and a few other very large institutions of learning, there has developed a feeling of suspicion as to the real value of ordinary church colleges educationally, and of the sincerity with which they live up to professed standards of scholarship, and devote themselves to the unbiassed pursuit of knowledge. But despite the low standards of a few of them and the shifty methods that some of the weakest resort to in their efforts to

*The publication of these general recommendations has been approved by Committee A, but they have not been discussed at a meeting of the General Committee, and the Committee of Inquiry alone is responsible for them.

survive, the denominational colleges, as a class, are worthy of encouragement and praise. Many of their most glaring faults are merely "ancient good become uncouth," being things that were in harmony with the best standards and practices of all colleges not long ago. Their growth and adaptability have sometimes been retarded solely by lack of funds. Even so, it would be hard to point to any fault of theirs which is not matched in some institutions of other classes, and often with less excuse. The opinion of some educators that it is useless to expect independent and scientific teaching in such colleges is not shared by this committee. On the whole, church politics is not more likely to hamper independence in colleges controlled by churches than is state politics to shackle state-supported schools.

In reconstructing our country now that the war is over there will be need of every college of every sort at all worthy the name. With the overwhelming demand upon state colleges for vocational training, and scientific and technical education for young soldiers and wounded men and hosts of others imperatively demanded to rebuild a physically wrecked world, what we call humanistic studies may be overshadowed. The institutions that are simply colleges, able to devote themselves to the general education of undergraduates, will be indispensable to the nation and to the church. But they cannot fulfil their mission, or even live, if they hide intellectual barrenness behind pious pretensions, and stand out as the last petty strongholds of autocracy in a world of democracy. They must be genuine seats of learning, and the rights of students and faculties must not be trodden upon by despotic administrators.

One of the most serious problems confronting American colleges is the recruiting of their faculties. The demand for men elsewhere at high salaries is unprecedented. The pay of professors, notoriously inadequate long before the war, can make no appeal to men. Colleges that have been in the habit of "hiring" professors for a year at a time, paying them less than a brick-layer could make, and discharging them without notice or explanation, will search in vain for men worth even a year's tenure. Only freedom of thought and speech, prospect of life tenure, dignity of position, and immunity from despotism will so supplement the salaries available as to attract worthy men to professorships.

The administration of Bethany and its type is neither better nor worse, in principle, than that of many other colleges. They are

nearly all, big and little in America, despotic in government, being better or worse only as the despotism chances to be benevolent or malevolent. The boards are self-perpetuating, or are political appointees; almost in no case is the faculty represented upon them, and commonly the alumni have no voice in their selection. As men busy with their private affairs trustees are necessarily ignorant of the real problems of academic administration and educational principle. The result is that they must usually follow the policy of the president, who, for practical purposes, becomes the autocrat of the institution. Where he is an educational expert and a man patient and courteous alike under criticism and under full co-operation, all will go well. But when he unites the spirit with the power of an autocrat, has no fitness for his task but that of a successful promoter or approved money getter, and under the slightest opposition becomes violent and tyrannical, all will go ill.

It is a misfortune of the undemocratic nature of college government that the faculties and alumni are often restless and critical when there are few abuses to justify it. The administration is thus the victim of its own evil genius. In the course of this investigation, for example, correspondence with alumni and former professors brought out a volume of complaint and abuse of the Bethany administration that would be most astonishing to persons who had not met the like in the case of numerous other colleges. It was no part of the task of this committee to verify or disprove such charges, hence they will not be repeated here. But under an administration more representative and responsible the alleged evils would be corrected, if real, and, if not justly grounded, would not continue to be urged to the discredit of the college. The administration would be overthrown, or it would be sustained. Either way the result would be good. In a small college with very limited means at its command it is difficult enough at best to maintain a stable faculty; yet the lack of it is a well nigh fatal handicap. If Bethany had no other reason to change its methods of dealing with its faculty it could find sufficient ground for doing so in the fact that out of a total of eighteen professors listed in its 1915-16 catalog only seven were on its faculty for 1918-19.

Religious communions with which colleges are affiliated would do well to appoint commissions, or use their existing Boards of Education, to make a careful study of college administration. They can learn much from a comparative study of the various church colleges.

The criticisms of a number of institutions investigated and reported upon by the Association of University Professors, and the recommendations of the Association concerning college administration will reveal to them the things faculties want. A desire to make colleges true nurseries of democracy and of the spirit of honest inquiry should be the guiding principle.

The matter of academic freedom or freedom of thought and speech and research in church colleges merits further discussion here. That it does not exist anywhere absolutely without limitations, required only the war to demonstrate. Religious institutions have not been slow to claim that if colleges generally had the right summarily to dismiss professors whose utterances were adjudged perilous to the nation in time of war, church colleges have the same right with respect to teachers who attack the foundations of faith and imperil the most sacred convictions, or even the immortal souls of men. To men as deeply stirred by this as good citizens are by treason there is no rejoinder. Therefore, as has been conceded above, colleges have a right to set bounds to freedom if they will be open and honest about it, not trying to gain in one direction the advantages of loyalty to denominational standards, while at the same time striving to reap elsewhere the rewards of complete independence.

With respect to the peculiar tenets of a denomination that differentiate it from other sects, hardly more is required than to let the affiliation of the college be known. The burden of proof would certainly rest upon the professor who would claim he entered the faculty of such a college believing he would be free to try to overthrow the doctrines and practices of its supporting denomination. But it is a less simple and obvious affair if restrictions affect matters upon which there is no consensus of general Christian faith or uniform denominational adherence. In such cases the burden of proof should be upon the college that it has clearly informed men of their restrictions when accepting professorships.

To instance Bethany College again, although it was given the benefit of the doubt as to responsibility for Professor Croyle's trouble because he taught modern critical views of the Bible, the existence of the doubt was indicated. It would be better for the college, in future, to leave nothing, upon which its own denomination is divided, to be inferred by a young professor, especially if his previous training has been in institutions universally known to be at variance with Bethany's views. While that applies notably to

professors in the biblical department or School of Religion, it extends also to the teachers of the college proper. Bethany is now enjoying exceptional advantages, both financial and otherwise, because it has accepted professors whose conservatism impelled them to attack the views of their colleagues in a sister college and resign from it when the other professors were not dismissed. Manifestly neither they nor the men paying their salaries would tolerate at Bethany what was found intolerable elsewhere. While conceding to the college the right to profit to the fullest extent from this, fairness demands that it make clear to present and prospective members of its faculty whatever limitations and restrictions this course imposes upon academic freedom.

A letter written by Professor Hover states that the college allows him complete freedom in teaching biology. To make concrete the duty of the college to be absolutely fair and open in its wholehearted loyalty to the views that have gained it several professors and considerable money and not a few students, let it be stated that its administration should decide and announce in advance how it would deal with its professor of biology if his teaching on the evolution and development of life should run counter to ancient biblical statements. The same course should be followed with respect to geology and other sciences. If it chances that in Bethany biology and geology and Genesis are all in accord now, the danger of future conflict, upon a change of professors, must be apparent to all who know how scientists are at present trained. Hence the obligation to deal frankly with the supporters of the college, and also to safeguard the faculty from the unhappy results of a failure to adopt and announce a course determined by fixed principles. Nothing could well be more reprehensible than for any church college to sacrifice its principles for the sake of gain.

To sum up and supplement these recommendations the following conclusions are appended:

1. Church colleges should fully and unequivocally inform the public and their professors of all restrictions that their tenets impose upon academic freedom.
2. The Boards of Trustees of colleges should formulate their rules for dealing with their faculties to insure fairness of treatment, and such security of position as will promote stability without sacrificing efficiency.
3. The Boards of Trustees should undertake such reorganization of college administration as will give the alumni and faculty representation upon the governing body, while not sacrificing the control of constituencies that furnish financial support and students.

4. In view of the unfairness of some colleges to their faculties, self-respecting teachers should make it a rule to enquire carefully into the character of institutions calling them, and into the treatment accorded the professors they are invited to succeed.

5. The Board of Education of the Disciples of Christ should investigate the status of academic tenure and academic freedom in all the colleges affiliated with it and seek to promote conditions worthy of Christian and democratic institutions.

6. The Council of Church Boards of Education could render valuable service to the cause of Christian education by a careful study of academic freedom and tenure, with a view to issuing to all affiliated boards a statement of correct procedure for denominational Colleges.

W. M. FORREST, *Chairman.*

G. D. HANCOCK.

APPENDIX A

H. I. CROYLE TO A. A. YOUNG, SEPTEMBER 6, 1917

In July, 1916, I was called to the professorship of Old Testament and Hebrew in Bethany College with the tacit understanding that I would be given academic freedom in my classroom work and that I should have a permanent place on the faculty of their growing institution. I was given to understand that the institution wanted a man in this department who was up to date in his methods and constructive in his work. This in substance is the way President Cramblet presented the proposition to me and to this end I arranged my courses. I was further encouraged in this by the statement on page 48 of the 1916 Bethany College Bulletin which says "Bethany seeks the latest and best results of modern scholarship without becoming an advocate of the vagaries or opinions of any school of thought." And again on page 50 of the same bulletin in describing a course in Hebrew Prophecy, which I taught, reads as follows: "The prophets of the Pre-Assyrian and Assyrian periods are studied with a careful survey of Assyrian and Babylonian History as a background. The latest results of Archaeology are used in an attempt to understand the vitality of the Prophetic Activity." President Cramblet also told others that I should have freedom of scholarship. I am in receipt of a letter from J. C. Todd, Dean of the Bloomington Bible Chair at Indiana University in which he stated June 1, 1917: "In talking with President Cramblet before you assumed your duties, I asked if you would be permitted freedom in your teaching. I conclude from what he said that you would. However, I feared that Bethany would not be entirely ready for the type of teaching you would do."

About Thanksgiving President Cramblet called me into his office and said that he had had a letter from Rev. Mansell of Warren, Ohio, in which he objected to some of the questions raised in my course in Old Testament concerning which his daughter, Katherine, had written him. At this time President Cramblet told me that he wanted me to teach the Bible as the Word of God and not as History to which I replied that the course assumed the authenticity of the scriptures and it was so taught.

Along in February, 1917, President Cramblet mailed me the following letter without comment:

EAST LIVERPOOL, Ohio, Feb. 9, 1917.

DR. T. E. CRAMBLET,
Bethany, W. Va.

Dear Sir and Brother: The official board of the First Church of Christ this city has directed me as Clerk of the Church to address you concerning the teaching of one of the Biblical professors of Bethany College.

The rumor has reached us from different quarters that Professor Croyle teaches some things contrary to the accepted teachings of the Bible. Especially that Adam was not a real person but only a mythological character; that Genesis is not authentic history but merely allegory. As a board we feel that we should not have that sort of teaching in our colleges. We had voted to give half of our educational offerings to Bethany College, but are holding them back pending some definite assurance that the College does not countenance false teaching. Our offerings are very small and would not matter much to the College, but it is our desire to give the little we do contribute to institutions that teach the truth. Will you kindly advise us in this matter?

Very cordially yours,

C. H. WATSON, *Church Clerk.*

As far as the above letter concerns me and my teaching it is a bald libel and false in its implications and inferences. Never at any time was I interviewed in regard to any of my courses by anyone, nor did anyone object to me to anything that I taught in my classes either in person or in writing except the talk I had with President Cramblet about Thanksgiving time.

On May 18, 1917, I received the following letter from President Cramblet, the first intimation that I was not to be retained next year:

BETHANY, West Va., May 18, 1917.

PROF. H. I. CROYLE,
Bethany, W. Va.

Dear Prof. Croyle: At a recent meeting of the Executive Committee, of the Trustees of Bethany College, I was instructed to express to you the thanks of the Trustees and to say that we regret that we are unable to retain your services for the coming year. I am asked to assure you of the good wishes of the members of the Committee and to thank you for the work you have done for the College.

Very truly yours,

T. E. CRAMBLET.

Upon receipt of the above letter I immediately called upon President Cramblet and asked the cause of the above action. He told me that it was because I was teaching "Higher Criticism" and "destructive criticism" in my Old Testament courses. He told me that he had received any number of letters of complaint from various people. When I tried to get him to give me definite instances of complaint he could only cite two. One was that of Rev. Walter Mansell of Warren, Ohio, and another that of an old superannuated minister at Washington, who had repeated some things he had heard Mr. Mansell say who was his former pastor at Washington. I am giving herewith a copy of letter I received from Mr. Mansell in reply to my inquiry to him as to his objections to my teaching.

(Mr. Mansell's letter explains that he felt that "Your teachings of the Old Book are not the best for the young student.")

When I called upon President Cramblet after receiving notification of my not being retained he said that the action of the Executive Committee was not upon his recommendation. He said that he liked me personally and that the other members of the Faculty spoke well of me, but that the Trustees of Bethany

would not stand for a modern interpretation of the Bible, that they would cease to support the College financially if such teaching were tolerated. He also told me that I could talk to the Trustees about it when they were there at Commencement. At Commencement I asked the Trustees to explain their action, as I had received no previous complaints in regard to my teaching and that the President did not recommend my dismissal. I requested that they show cause for my dismissal and reason for not notifying me earlier in the year in order that I might have a chance to secure a position elsewhere. M. M. Cochran, chairman of the Executive Committee said in session of the Trustees that there were no charges entered against me and that it was not any of my business why I was not retained and that it wasn't their custom to notify their professors that they elected or dismissed until Commencement.

These are the facts of the case. The report you receive from Bethany College if it is true, should coincide very closely with this. Rather than send you a large bundle of letters, for convenience, I have copied them and included them in this document.

APPENDIX B

W. R. WALKER, PROFESSOR IN BETHANY COLLEGE, TO H. I. CROYLE, OCTOBER 1, 1917

In reply to your recent letter I would say that I did answer an inquiry of Brother Book as to the reason for your not being re-employed at Bethany. I did not say you were dismissed, for my understanding is that the trustees fulfilled their contract with you.

That you were not re-employed is true, and your position on controverted critical questions was the reason, as I was informed.

I did not suppose there could be any doubt in your mind on that question. The speech of Mr. Cochran on Commencement day would have been sufficient to enable any one to see the situation.

Brother Jobes told me he personally enlightened you on the cause of their refusal to employ you again. I also know that letters sent to the college by complaining parents, dissatisfied with the teaching their children were receiving in your room, were sent to you, that you might learn the attitude of the School's patrons.

If you desire to cavil about the term "destructive," it is not worth our time to exchange correspondence about that. I have not known any man who would confess that he was that sort of critic.

I will say, however, that if I taught the theories of Kent, Driver and others of like thinking, leading the student to understand that Moses did not write the Pentateuch, that the so-called Law of Moses was a forgery worked off on gullible people by Hilkiah or Josiah, and that all the similar subjective history was true, I would be a destructive critic, and think I would acknowledge the title. I know such teaching destroys faith in the Bible as the Word of God. Several students came to me from your classes with these doubts raised in their minds, and it took me some hours at different times to counteract the teaching and show that it was purely a subjective theory, without a semblance of historical fact on which to rest, yet the statements made in presenting the theory were stated as historical. I was able to show them all, I think, how illogical such theories were, especially when

dealing with supposed history. I have good reason to believe that the faith of more than one student would have been destroyed had it not been for their coming to me with their trouble.

You certainly cannot be ignorant of the fact that your teaching was responsible for so large a per cent of your students leaving your classes at the end of the first semester. More would have dropped your classes if they could have found other subjects at those periods.

If such teaching is not destructive, I know not how to designate it. If my teaching imperiled the faith of a student, I would have the honor to cease teaching. I had regard for you as a man until after I learned of your writing State Boards of Education to discredit Bethany College, whereupon I cared to have nothing more to do with you than was decently necessary. I certainly cannot approve that sort of spirit.

APPENDIX C

H. I. CROYLE TO DEPARTMENT OF PUBLIC INSTRUCTION, HARRISBURG, PA.,
JULY 16, 1917

I notice in the Bethany College Bulletin, Bethany, West Virginia, that graduates of Bethany College may teach in the public schools of your state without taking the usual teachers' examination. I should like to know if this is a true statement, and, if so, on what basis Bethany College is given this standing.

I have been on the Faculty of Bethany College the past year and I question the worthiness of the institution to such privileges as it is run at present. As to library facilities in the field of education, as well as other fields, she practically has none; a dozen books would practically exhaust the list of the books on education.

I should be glad to have you state the requirements of a College to be admitted to your approved list for the training of teachers.

APPENDIX D

T. E. CRAMBLET TO J. C. TODD, DEAN, INDIANA SCHOOL OF RELIGION,
BLOOMINGTON, JUNE 5, 1917

I have your letter of the 2nd inst., inquiring about Professor H. I. Croyle. Professor Croyle is a graduate of Drake and has an A.M. from Columbia and also has a B.D. from Union Theological Seminary. He is a gentleman of the highest character. His educational advantages have been the very best. He has a little too much of the new theology for us at Bethany. I feel very sure, however, that when he has had a little time to adjust himself that he will be all right. In my judgment, he would make an excellent man for your work at Bloomington. I do not know where you would be able to find any one better suited to your needs than Professor Croyle.

APPENDIX E

W. M. FORREST TO T. E. CRAMBLET, AUGUST 19, 1918
(No reply having been received to preceding letter)

I am sending you herewith a brief of the case against the administration of Bethany as investigated by the American Association of University Professors in

connection with the dismissal of Professor Croyle. It is to be regretted that we have not been able to get from the administration any co-operation in our efforts to investigate this case. But your failure to reply in any way to the latest efforts made in that direction leaves us with the conclusion that the College desires to make no answer to the charges preferred.

However, before closing the case and publishing the findings of the Investigating Committee, this brief of charges made, evidence submitted, and conclusions drawn is laid before you. After looking it over, if you deem any of the conclusions to be unwarranted by the facts we shall be glad, even at this late date, to receive and weigh any evidence you can submit in rebuttal. If you do not reply within two weeks, it will be concluded that you do not care to do so, and the report of the committee will be finished in harmony with the digest of evidence herewith submitted.

APPENDIX F

T. E. CRAMBLET TO W. M. FORREST, AUGUST 29, 1918.

I have your letter of the 10th inst. and in reply beg to say that I am very much surprised that men who make such loud professions of fairness, as you and your Committee do, should themselves be so unfair as to write such a report as the one you submitted to me. You wrote me a time or two that you would come to Bethany and investigate the matters which you evidently believe your superior wisdom qualifies you to judge. You failed to come to Bethany as you promised, and instead of this have trumped up a lot of charges that would put Ananias and Sapphira to shame. There is scarcely a statement in your entire report that is accurate or true. I do not believe that any fair committee of gentlemen possessed of the highest honor would write a report such as you have written without making fullest investigation.

You make charges about treatment of Professors —, — and —, without even a word of inquiry from us and without giving us any opportunity to reply to what you say. Then with just one charge, and that clearly unproven, you proceed to denounce Bethany College, saying the institution is in no sense modern and that its action is fatal to scientific research. The refusal of our Board of Trustees to re-elect a man who was clearly proven to be an incompetent teacher, you conclude justifies you in making false charges.

If your report can influence your clique they should by all means have it. I confess, however, that I can not reconcile your report with the action of fair minded, honorable, Christian gentlemen. Let us take up your charges in the order in which they come:

First: It is not true that we dismissed Croyle near the end of the session with no previous notice. As early as the holidays I called him into my office and told him his work was not satisfactory and that there was a constant complaint from his students. At the beginning of the second semester, in February, one entire class in Old Testament History refused positively to receive instruction from him on the ground that he was dull and uninteresting and that the students received nothing in return for the time spent in his classes. At that time our Professor Johnson was compelled to leave college on account of illness. Croyle then asked that he be allowed to take the class in Psychology, which Professor Johnson had

been teaching, since there were no students left in his Old Testament History class. When the class learned that Mr. Croyle was to teach the subject, practically every member came to my office and made protest, not only to me, but to the two Deans of the College as well. I called the class together, explained to them that we had no one else to teach the subject then, and urged them to give Croyle a trial. I explained to Mr. Croyle at the time that this objection was being made by the students.

Later on, in the month of March, a patron of the College, one of our strong preachers, whose daughter was a student with us, wrote me a very strong letter denouncing the teaching of Croyle. I called him into my office, showed him the letter, told him that he was injuring the College, and intimated to him that we could not retain him. About the same time another letter came from the Church in East Liverpool, Ohio, stating that, while an offering had been taken for education in the First Church and that this offering rightly belonged to Bethany, yet it could not be sent here so long as we had a man like Croyle in a chair. It was generally agreed in faculty that no more incompetent teacher had attempted to fill one of our chairs. I am willing to admit that Croyle had educational advantages and that he probably was in a way an educated man.

Furthermore, Croyle's wife was a disturber of the peace here at Bethany and arrayed herself a number of times in direct hostility to the College work and the College programmes.

It is not true that Croyle was dismissed at the end of the term without warning. Beginning with the holiday season he received repeated warnings, both from myself and through the protests that were made by students and patrons of the College. If there is a committee which feels that it can bind on Bethany College a man of this caliber, all I have to say is that this committee needs a little more common sense. . . .

Fourth:* It is true that after eleven years of service in Bethany, Professor W. B. Taylor was not re-elected for the twelfth year. I am very sure that Dr. H. L. Willett, who knew in Chicago Professor Taylor, can clearly understand this. There never was a criticism of Professor Taylor's doctrinal position. He was in harmony, so far as we knew, with the position of the Disciples generally. There was criticism of his teaching ability for a number of years. The year before he left us some of our very best students, when they found that they must continue their studies under Professor Taylor in order to graduate, left us and went elsewhere. One of these, considered the brightest young man in the Junior Class, announced to a dozen people that he was leaving for this reason. During Professor Taylor's last year here a goodly number of the Junior and Senior ministerial students held a number of meetings to discuss Professors Taylor and ——. In one of their meetings they agreed that they would leave Bethany if Professor Taylor was retained as head of the Bible Department. This company of students sent one of its number, as a committee, to Uniontown, Pa., to interview Mr. M. M. Cochran, chairman of our Executive Committee, and one of the most generous and interested of our Trustees. This Committee insisted that the ministe-

*Sections 2 and 3, as dealing with the cases of the two professors dropped out of discussion, are omitted.

rial students of Bethany were entitled to more efficient teaching than they were receiving. To add to the difficulty of the situation Professors Taylor and — were not friends. Each was plotting the other's dismissal. Each was bringing to me report after report detrimental to the other. At the meeting of the Trustees the year before Professor Taylor was not re-elected, he brought several witnesses before the Committee of the Trustees to show that Professor —, because of his inability to teach, was injuring the College and therefore should not be retained. When Professor — learned that Professor Taylor was carrying on this campaign against him he began to marshal his friends in an attack upon Professor Taylor. Our Board of Trustees, when the situation was brought clearly before it, acted in the wisest manner in relieving both of the gentlemen. There is much more that might be said here, but certainly this is enough to show any reasonable committee that our Board of Trustees was acting clearly within its rights and within the bounds of justice when it refused to re-elect these men. Certainly the interest of the student body and of the College itself is to be considered above any other.

Fifth: It is true that our professors here are elected for one year only. It is understood, however, that tenure of office is to continue as long as professors give satisfaction. There should be no power on earth to compel a Board of Trustees to hold men who are making a record like Professor Croyle, hurtful and injurious to students and college. No Board of Trustees should need a year or two to further try out such men. I beg to say, in this connection, that the men who compose our Board of Trustees have as high a standard of honor and are as decent in their procedure generally as your Committee has been. They are gentlemen who stand as high in every way as you do, to say the least for them.

Sixth: It is true that I gave Professor Croyle a recommendation, but I beg to call your attention to the fact that nowhere in this recommendation did I say that Professor Croyle was an inspiring or successful teacher. At the time I believed him to be a gentleman of high character. It is true that his educational advantages were the best. It was also true, in my judgment, at that time, that the Bible chair at Bloomington, Indiana, could not find one then better suited to its needs, because the work there was different, in character, from ours. When I wrote that recommendation I did not know that Mr. Croyle was capable of anything so despicable as he was guilty of later on. He wrote malicious lies to the departments of public instruction in Pennsylvania and some other States, in an attempt to injure the College and our graduates. The State Superintendent of Schools of Pennsylvania, Dr. Shaffer, sent me Mr. Croyle's letter. I made copies of this letter and sent it to some of our Trustees and to the members of our Faculty. I can prove by witnesses, in any number desired, that every statement in Professor Croyle's letter to these superintendents was a falsehood. Dr. Shaffer in his letter of inquiry to me, when he sent Croyle's letter, intimated in a very gentle way that he understood. This letter of Mr. Croyle's was exactly in keeping with the conduct of the discharged hired hand who poisons horses and cows and burns down buildings attempting to get even. That your committee, composed of professedly honorable gentlemen, should take up the cause of a man guilty of an act like this goes beyond my comprehension.

Your statement that it appears that outside pressure on the Administration of the College, from editors, ministers, and others in the conservative wing of the

denomination with which Bethany is affiliated compelled the College to dismiss Croyle because he was a higher critic is also false. The Trustees gathered their own information and acted on it. This charge is wholly gratuitous and is also without foundation. Had Professor Croyle been the soundest of men, had he held to every contention of the "conservative wing of the denomination with which Bethany is affiliated" he would not have been kept on our Faculty. It is true that there was complaint regarding his doctrinal teaching, but the greatest charge came from the students to the effect that Croyle was uninteresting and incompetent as a teacher. It is also true, and you may publish it as widely as you desire, that we do not want and will not have, on our Faculty, men that are known to be false to the Word of God.

How does it happen that out of four professors not retained by us during the last five or six years, the charge is made that only one of them was dismissed because of his orthodoxy, and that with this as a basis you reach the conclusion and propose to announce to the world that Bethany's course is "fatal to scientific research and sure ultimately to deprive a college of true scholars upon its faculty." Such conclusions are absurd in the extreme and any set of men who announce such to the world and make an unwarranted attack upon a college are guilty of a greater breach of good order than any violation of college ethics as you here charge. When you reach the conclusion that, because our Trustees dismissed a man like Croyle from our teaching force, that Bethany is in no proper sense "a modern college," you show yourself to be just what a whole lot of people know you are. If I were you, with a record like yours, before our Brotherhood, I would not climb on a housetop and proclaim that colleges which are faithful to their trust, doing the work of the church and receiving the approval of the brethren by a constantly growing and liberal patronage, are in no proper sense "modern" and that their course is fatal to "scientific research." When you publish to the world your report I beg to assure you that I may be able to publish a report on your good self and your wonderful (?) work,—a report that may have as large a reading as yours and that may be as interesting reading.*

Permit me to say further that I do not believe for one moment in your sincerity in this whole matter. I believe you are actuated by selfish motives, the motive of the propagandist abroad in the land,—a desire to injure Bethany College which continues to stand, loyal to the Restoration Movement of the Disciples. I do not believe you can injure us. In fact, I believe that the louder you bark, the better it will be for Bethany College.

You may think I am very plain in my statements and that I am somewhat personal. You are making an un-Christian and an uncalled for and an unjustifiable attack on our Board of Trustees, upon myself and upon Bethany College such as you certainly would be ashamed of, if your standards of honor were high enough to enable you to realize it.

APPENDIX G

W. M. FORREST TO T. E. CRAMBLET, SEPTEMBER 6, 1918

Your letter of August 29, aside from its gratuitous insults and foolish threats, is such a statement as the American Association of University Professors has

* It is proper to remark that this means no more than that President Cramblet has heard that Professor Forrest is unsound, as, indeed, he freely admits he is when judged by Bethany standards of Biblical scholarship.—W. M. F.

endeavored to obtain ever since Professor Young first wrote you on July 28, 1917.

Ignoring the offensive features of your letter as irrelevant and self-condemning, I shall try to renew the examination of the case. I hope that after considering my statements you will favor me with a reply confined to a calm discussion of the matters in point.

The brief I sent you was necessarily based entirely upon evidence obtained from accusers of the Bethany Administration. To Professor Young's letter of July 28, 1917, and mine on February 8, and March 14, 1918, you replied only in the most general terms or not at all. In your replies of August 1, 1917, and March 9, 1918, you insisted that it was none of the business of the Association of University Professors how Bethany dealt with members of its faculty. You noticed in no way my statement that I might visit Bethany. You broke off correspondence entirely after your letter of March 9, 1918. Despairing of getting your co-operation in the investigation, I then wrote Judge Campbell, who was the only one of your Trustees whose name and address I then had, sending him full copies of our correspondence and asking whether he could secure me a "clear and courteous statement of Bethany's side of the case." No reply has come from that letter of May 11, 1918. Professor Frank R. Lillie became acting chairman of the Standing Committee which appointed the Special Bethany Committee, Professor Young having been forced to resign by his heavy duties on the War Trade Board, and wrote me June 24 for information on the Bethany case. Reporting to him the course pursued as stated above, I asked whether it would be worth while to go to Bethany, and Professor Lillie replied, "There is no object in going to Bethany if the Administration remains entirely unwilling to go on record in the case. . . . Before proceeding to organize the report of the committee, it would be well to send President Cramblet a digest of the evidence with the statement that the Committee will report on the basis of the evidence in hand unless he wishes to present his side of the case."

Acting under these instructions, I drew up the digest and sent it with my letter of August 10, in which you were explicitly informed that the report would be finished in harmony with the evidence in hand only upon your failure to furnish evidence in rebuttal within a reasonable time. As you have seen fit to present, in detail, your side of the case, the report will be delayed until your claims can be investigated. Had you failed to reply, the Association would have been fully justified in publishing its findings. Any court of justice would have to pass judgment in any case upon the evidence submitted, even though one party declined to try to rebut the evidence, thus showing that he either cared nothing about the court's verdict or knew that he was unable to prove anything to his advantage.

Meanwhile, that you may feel assured that the Association of University Professors in arraigning a college before the whole academic world does not lend itself to any partisan interests, permit me to state that such a digest as I sent you would not be seen by the other members of my Committee until after they had been given time to examine for themselves every scrap of evidence in the case. Up to this moment no one has seen it but you and a member of your Board of Trustees whose name and address came to me on August 26. After my investigations, as chairman, are ended, all documents will be sent the two committeemen whose names I furnished you February 8. Later I must send them a tentative report

which they will study and individually pass upon as they see fit. If they both concur, the report becomes the final judgment of the Special Committee; if one member disagrees, his minority report will go with the majority report to the chairman of the Association's Standing Committee on Academic Freedom and Academic Tenure. If he and his committee approve, it will be published as the verdict of the Association. But, even so, the evidence will be so fully printed with the verdict that final judgment will be at the bar of public opinion.

This review of the course of the investigation to date, and statement of the rules of procedure governing such cases, have been set forth at length to disabuse your mind, if possible, of the notion that some conspiracy has been worked up against Bethany by some kind of a clique. The gentlemen who decided, after the preliminary investigation, that further enquiry should be made are among the most eminent professors in a number of the greatest universities in America. Until Professor Young asked me to serve as chairman of the Special Committee, I had never heard of Professor Croyle, or of any charge whatever against Bethany's treatment of its Faculty, nor had I ever met or heard of Bethany's President, beyond the bare fact of his existence as a preacher and the head of the college, except that I once saw in the daily papers that some dismissed employee had shot him. It is safe to say that Professor Hancock knew even less of the case and the parties to it. Probably Professor Willett was better informed. They were all selected because they were members of the American Association of University Professors sufficiently known to Professor Young to assure him that they would conduct the enquiry with impartiality.

Passing to your statements in opposition to the tentative findings sent you, let me assure you that they will all be considered and given due weight. But that the findings in the brief are without support, as you insist, is far from the facts in the case. There is not a single charge of any real significance that is not backed by one or more explicit written declarations from one or more persons of standing. Copies of letters you mention as received from the church at East Liverpool, Ohio, and others are in hand, and your charges against Professor Croyle were practically all stated long ago by him and denied in detail.

In Professor Taylor's case there is substantial agreement between your version and his, leaving it a clear-cut question of whether Bethany did right, not in discontinuing his services, but in doing so in the manner it did, which, after all, is largely the fundamental question in the other cases. As to your rule of a one-year tenure in the case of all professors—that is a matter upon which no question could be raised except as to its expediency, so long as professors accept it when going to Bethany, and are given reasonable notice and explanation when not reappointed.

As in these cases involving tenure, so in the single case involving freedom. Since you have filed your statement it reduces itself to a matter of deciding which of two or more witnesses flatly contradicting each other shall be credited. Before, the only evidence in hand showed that all reasons given for his dismissal, except a single general statement of incompetence in one of your letters, and the assertion that he *afterwards* proved himself base, showed that Croyle's friends and opponents agreed that his critical views were the real cause. No such question has been raised in the cases of the other professors, but it should be easily recognized that one such case, if proved, is ample evidence that a college is restricting academic

freedom, just as the University of Pennsylvania did, for instance. As the matter now stands, it will be further investigated. Pending such enquiry it cannot be made too plain to you that the Association concedes to Bethany the fullest possible right to require its professors to teach in harmony with its own views of orthodoxy and fidelity to the Bible as the Word of God, provided only that it make known this fact to the academic world and its prospective teachers.

From the foregoing you will see that it is no small task to get at the facts in such a case, and that the ultimate verdict must accord with the probabilities, which will inevitably tell against the college if it will not regard the matter as of enough importance to go into it with the thoroughness of the accusing parties.

APPENDIX H

SUPPLEMENTARY STATEMENT BY CHAIRMAN OF THE COMMITTEE OF INQUIRY

Effort to Restrict Academic Freedom among the Disciples of Christ

The day after the chairman had finished the foregoing report for transmission to the special committee the document printed below came to hand. It is very pertinent to this enquiry because it was undoubtedly called forth by the failure of the Trustees of Transylvania College and the College of the Bible, Lexington, Ky., to purge the institutions of the President and Faculty Members accused of heresy by Professor H. L. Calhoun before he was presented to Bethany College by wealthy men who approved his course.

Transylvania made its declaration of independence when it sustained its president and leading professors, but a persistent effort has since been made to coerce it by claiming it is no longer entitled to its endowment. Other leading colleges of the Disciples have also maintained their right to intellectual and spiritual growth. But aside from what is clearly implied in Bethany's acceptance of the special gifts that support the two professors who left Transylvania, the former college has submitted to just such dictation as is proposed in the "Declarations" below by accepting a bequest upon almost identical terms. President Cramblet stated to Professor Forrest that in order for Bethany to retain the endowment of its "Thomas W. Phillips Bible Chair" the college must require the professor occupying it to subscribe to and teach in accordance with a declaration of faith. It is essentially like the one here discussed. Again the importance of publishing such restrictions is emphasized, and the danger to every professor in such a college is pointed out.

The following is from the *Quarterly Bulletin* of the College of the Bible, Lexington, Ky., January 1919:—

We present herewith two astonishing "declarations" that are required by a well-known and generously disposed Disciple of Christ to be signed before any individual or institution may receive his benefactions.

The first "declaration" is intended for the signature of those who desire to receive his gifts during the life-time of the donor:

"TO WHOM IT MAY CONCERN, AND FOR THE PURPOSE OF APPLYING TO.....
for financial aid for the purpose of
do hereby affirm that I (we) the
 undersigned am (are) a member.....
 of the Church of Christ in full fellowship and believe in and fully endorse the

entire Holy Bible as the only inspired word of God; also believe in all the miracles of both the Old and New Testament; also in the miraculous conception and birth of Jesus, the Christ, by the Virgin Mary and without an earthly father; also that Jesus is the Christ, the only divine Son of God, the Father and Savior of the world; that He was crucified, buried and rose the third day from the dead, and is now alive and seated at the right hand of God; and also believe in Faith, Repentance, Confession and Immersion as the only means of accepting Christ and entering His Church, and that outside of His Church, God has not promised salvation.

"Witness my (our) hand and signature this....day of....., 19...."

The second "declaration" is designed for the use of those who desire to be remembered in the will of the benefactor, the gift becoming operative after his death:

"We, the undersigned persons, who constitute the entire membership of the board of organization controlling.....and all College Presidents, Bible Teachers and Evangelists employed thereunder, for the purpose of complying with the provisions of the last Will and Testament of.....and hereby seeking to maintain an inheritance thereunder, do affirm that we are each and all members of the Church of Christ in full fellowship, and that we believe in and fully endorse the entire Holy Bible as the only inspired word of God; also, all the miracles of both the Old and New Testament; also the miraculous conception and birth of Jesus the Christ by the Virgin Mary and without an earthly Father; also that Jesus is the Christ, the only divine son of God, the Father, and the Saviour of the world; that he was crucified, buried and rose the third day from the dead and is now alive and seated at the right hand of God; and that we also believe in Faith, Repentance, Confession and Immersion as the only means of accepting Christ and entering His Church, and that outside of His Church, God has not promised salvation; and we each and all, as the controlling board, for said organization, agree that this gift or bequest, shall be valid and subsisting, only so long as each and all of the parties herein mentioned, whether ourselves, or successors or said employees, shall subscribe to the above declaration.

"Witness our hands and the signatures of all persons required to sign this Article under this Will this....day of....., 19...."

Fortunately, the position of this wealthy would-be-donor does not in any sense represent the spirit of the great body of men of wealth among the Disciples of Christ who look upon their wealth as a form of service and are glad to dedicate it to the carrying out of the will of Christ, rather than the will of any man, and who are willing to match the gift of life with the gift of wealth in a comradeship of loyal discipleship.

Without revealing the name of the author, the Declaration first quoted was submitted to President Nicholas Murray Butler, Chancellor J. H. Kirkland, Executive Secretary Robert L. Kelly, President Henry S. Pritchett and Editor B. A. Abbott, accompanied by a request for an opinion on the issue involved. The replies quoted below represent the position taken by leading educators and religious experts of America. These opinions might be multiplied a hundred fold, but they are quite sufficient to indicate the uniform mass of educational opinion on this vital subject.

Opinion of Nicholas Murray Butler, President of Columbia University: "A college should not accept gifts, no matter how large or how tempting, to which conditions are attached that, either now or in the years to come, will hamper the freedom and the independence of the trustees and the faculty so to conduct the

institution as to make it satisfy the real and advancing needs of its constituency, and to teach the truth as sincere and open-minded men see the truth.

"The history of the charitable trusts of England and the work of the Parliamentary Commission in regard to these, which made a notable report about fifty years ago, illustrate how impossible it is for the dead hand to reach out over future generations and attempt to control the thought and the action of those generations with any considerable measure of success. When funds are given to an institution of learning they should be given without conditions and because of confidence in the governors and the spirit of the institution which receives the benefaction. These governors must have full independence and freedom of action, and the spirit of the institution must be unhampered in its growth and development."

Opinion of J. H. Kirkland, Chancellor of Vanderbilt University: "In some respects this is the most remarkable case I have ever heard of. So far as the specific case is concerned the case seems to be about this. A certain man of wealth has prepared a creed which he requires every person to sign who applies to him for financial aid. Personally I might wish that he could find no person willing to sign it. If any man is so constricted in his theology that he is unwilling to render assistance except to people who are willing to sign his own creed, he puts himself outside the pale either of philanthropy or Christianity. A point of view like this is so foreign to the life and teachings of Christ that it cannot characterize any one who is really and truly Christ's follower.

"Colleges are not expected to conform to the views of their benefactors and have nothing to do with such views. I do not think a college ought to accept any gift that has conditions regarding the teaching either of Sociology, Economics or Religion. The world is too big and the field of truth is too large to justify a college in undertaking to be the exponent permanently of any body or any one point of view."

Opinion of Robert L. Kelly, Executive Secretary of the Association of American Colleges and Council of Church Boards of Education: "I take it that no self-respecting institution would accept money on such a basis as that set forth in the declaration. As President of Earlham College, I repeatedly turned down gifts which were offered with unreasonable conditions attached. Certainly, no institution would agree to have all of its faculty bound by the peculiar ideas of a single man. I think the 'declaration' you submit is a classic."

Opinion of Henry S. Pritchett, President of the Carnegie Foundation for the Advancement of Teaching: "I should say that within very wide limits college teachers should have the utmost freedom. Any college, it seems to me, would stultify itself by accepting a gift conditioned upon so dogmatic a statement and I cannot imagine an institution worthy of the name that would accept a gift upon such conditions. A college should use the utmost care in scrutinizing the conditions attached to gifts by donors, and should have the courage to decline any gift unless it expected to carry out in spirit the conditions imposed."

Opinion of B. A. Abbott, Editor of the Christian Evangelist (the leading paper of the Disciples): "The trustees of a college have no right to accept money from any man with any conditions attached that would require them either to violate the charter of the institution or the conscience of the professors. I am firmly of the opinion that there is some money that cannot be accepted.

"It is very unwise for any man to give money to a school and make specific and rockbound conditions. Unless a man can fully trust not only those living today but the honesty of those who come after them tomorrow, it is better to let his money perish with him. To give money to a religious institution demanding that it shall always teach a certain specific interpretation of any religious fact is a very subtle form of simony, which, no doubt, is not intended by the donor or by the receiver, but is, nevertheless, simony.

"I believe with all my heart that we have to take the larger views about gifts and purposes and ideals. Otherwise we cannot grow."

RECENT DISCUSSION OF UNIVERSITY QUESTIONS

[From Report of President, Meiklejohn, to the Trustees of Amherst College]

"On the educational side, the experiences of the war are so suggestive that one's mind goes whirling about in a chaos when we attempt to fix it upon the future. I do not mean that our fundamental terms of value and method have changed their meanings. They have not been changed, nor will they be by so external an experience as this war has been. But the circumstances of life will undoubtedly be profoundly affected, and to these new circumstances must the liberal college bring all that it has or can find of value and method for the interpreting of the life men lead.

"One very important circumstance for all of us is that in quite amazing number our college teachers have been withdrawn into the centers of government and have taken active and successful part in the management of public affairs. And now we are asking, Will they come back; and if they do, will they be the same men who went out a year or two ago? I think they will come back, but not as they went out. Inevitably there will cling to them an interest in the ways in which men's actual work is done. Together with the scholar's knowledge of the principle, the law, the scheme in general, they will combine the actual sense of contact with the human needs, the opportunities, the obstacles, the ways around or through them. These scholars will have a sense of power they have not had before, perhaps as well as a sense of obligation. How will their coming back affect the colleges?

"I think we must not lose this power nor even the sense of it. Some weaker heads may not sustain the unaccustomed strain of being taken seriously. But my impression is that teachers' heads are fairly tough. At any rate, we may presume that they can stand far greater burdens of respect than we have thus far thrust upon them. Of all the countries in which learning has been set up, there is no one in which the scholar, the college or university teacher, plays so slight a part in shaping public action as in our own. And so I am hoping that these scholars who come back to us will not give up their 'governing' when they return from Washington. They should insist upon a permanent closer fusing of study by

learned men with action by men whose wills determine what the conditions of life shall be. These men who have been in Washington should not just slip apart, each to the little corner whence he came. They should combine into some permanent group to gather up and keep the information, the insight, the knowledge they have gained. They should see to it that from this day on American life is managed, if not by those who study it, at least by those who are willing to learn from those who study it. It may be that as the days of peace come on we shall invite a great assembly of these men to come to Amherst for holding of a conference, where they may bring together the scattered things which they have learned, and may combine their thoughts, not for the furthering of a special point of view, but for the keeping of study and learning effective forces in the affairs of nation and of nations. I wish the trustees of the college would authorize the calling of such a meeting here whenever the time and circumstances should seem to justify it.

"In this connection, there is a problem which concerns immediately college teachers, and only indirectly trustees as well. If teachers are to be in touch with the affairs of public life, their services will inevitably become of value, not only to the state, but also to the private interests and enterprises which taken together make up the state, so far as business is concerned. And here there is danger, the fear of which might lead us to drag each scholar back to his corner and lock him in to keep him safe. If scholars should get to be for 'hire'; if they should go out from their usual work to furnish their knowledge where fees allure them, the day of free, unfettered scholarship would have gone past. Somehow or other it should be arranged that college teachers, going to other public or private service, should do so with little if any private gain. They must not be for hire. I am not ready here to elaborate a scheme for dealing with this situation in all its complications. It seems to me a problem which well might claim continued study from the Association of University Professors. There is, however, a phase of it with which we are immediately concerned. I mean, of course, the general scheme of teachers' salaries. Such salaries have been throughout the country so insufficient that chances to eke them out by taking on an outside service have been too good to lose. But we must make them large enough to take temptation of this sort away.

* * * * *

"I have said that the making of appointments and promotions is primary in its importance for the college. It is hardly necessary to add that it presents most baffling difficulties. The task of finding men who are intellectual leaders, of so adjusting the conditions of their work as to give free play to their powers, of making judgment as between those who ought to remain here and those who ought not to stay, and of making this judgment effective without too great loss to the persons concerned, of evoking from a group of individuals a closely knit and coherent faculty, this is at once the most important and the most difficult subsidiary task which the college has to do. At present this burden rests upon the Board of Trustees with the general understanding that their actions are taken upon recommendation of the president of the college, upon whom, therefore, rests the immediate responsibility. It has been suggested in the discussions of the Association of University Professors that this responsibility should be shared in some official way by the faculty or by its committees. While one must recognize the presence of many conflicting considerations at this point, and while one cannot fail to be in sympathy with the intent of the suggestion, it seems to me that there is very serious question as to its wisdom. To make the faculty the controlling factor in the college, to recognize that it is in every essential respect the college itself, that has been the underlying motive of every change of organization, every specific action which this report has recorded. And yet I am not sure that it is advisable that the teachers be given official responsibility for the choice of their colleagues. I am sure that such choices must in the long run meet with the approval of the teachers. If they do not, then the officer who is responsible for them will not long hold his power. I am sure that whoever makes appointments must confer often and freely with the teachers whose knowledge of many aspects of the field is more intimate than his own. And yet I am inclined to think that the official participation of teachers would be unfortunate. The reasons for this opinion are somewhat subtle and very difficult to state. For the most part they are summed up or perhaps better concealed in the statement that the teachers are 'interested parties' with respect to the making of appointments. Here it seems to me that the argument which professors have used against trustee domination can be brought with far more telling effect against the professors themselves. I know of no body of men more genuinely disinterested than a college

faculty and yet these men are directly affected by the fixing of salaries, by the making or refusing of promotions, by the bringing in of new men who shall be of higher or lower or equal standing with themselves. In every such decision they are themselves more or less remotely concerned. I do not mean to suggest that their decision with respect to colleagues would, therefore, be affected by explicitly selfish considerations. Just in the same way few people imagine that college trustees are consciously using their positions to further their own selfish ends. What one does fear is the unconscious bias of an 'interested' party. And I may say frankly that in the case of the teachers I should fear far more the influence of personal friendships and of group loyalty than that of conscious or unconscious self-seeking.

"I may, however, be challenged to show evidence of the presence of such bias. If so, then I can only appeal to common knowledge of the well-known fact that college teachers when given the power of choice do not choose good colleagues. There is, I think, under this system, an almost inevitable tendency downwards in quality. On the whole, the teacher tends to choose men to help him, men who are his seconds. There are not many men so constituted that they choose better men than themselves as co-laborers in the same field. And this again is true not because of jealousy, but because in a quite inevitable sense a man's standards are himself and he cannot effectively rise above them.

"In spite of all the argument, however, I am still willing to say that the question seems to me an open one. In the issue of the democratic control of the college, there are many other considerations of which account must be taken. And yet I am inclined to think that our colleges are not ready for complete democracy of organization; that they will not be ready for it until their standards of excellence have been far more securely established than they are at present.

"I am glad to report that within our own faculty organization the custom of regarding one member of a department as its 'head' has been abandoned, except as in certain cases it persists in terms of long-established affection and esteem. There is no doubt that the institution was an evil one in its unjust and unnecessary interference with a proper democracy among teachers. There is no valid reason why one teacher should be allowed to dominate his fellows, to tell what they shall teach and how they shall teach it,

to determine their promotions or the refusal of them. Matters of teaching content and method should for the most part be determined in conference by the teachers concerned, and if they cannot agree, then their differences should be passed upon by the wider group of the faculty in whose hands are the teaching policies of the college as a whole.

"In this connection I am glad to record also that the notion of the 'department' is being heavily shaken and is losing its power. At least in a faculty so small as ours, the individual teacher is the best unit of organization, and if our work be properly unified there is no adequate reason why each man's work should not be conceived and carried on with explicit reference to the teaching of the college as a whole."

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* Acting Chairman till May 15.

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Distinctions between the Several Honorary Degrees and the Basis for Conferring Them*Chairman, R. M. Wenley (Philos.), Michigan*

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Feasibility and Method of Utilizing the Government Scientific Bureaus at Washington and Elsewhere—in Co-operation, etc.*Chairman, L. R. Jones (Plant Path.), Wisconsin*

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Co-operation with Latin-American Universities to Promote Exchange Professorships and Fellowships, etc.*Chairman, L. S. Rowe (Pol. Sci.), Pennsylvania*

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Princeton; C. C. Plehn (Econ.), California; E. A. Ross (Sociol.), Wisconsin; Arthur R. Seymour (Rom. Lang.), Illinois; C. A. Smith (Eng.), U. S. Naval Academy; Glen L. Swiggett (Rom. Lang.), Washington, D. C.; Walter S. Tower (Geog.), Chicago; Raymond Weeks (Rom. Lang.), Columbia.

COMMITTEE M

Recommendations of the Second Pan-American Scientific Congress

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COMMITTEE O

Requirements for the Ph.D. Degree

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COMMITTEE P

Systems of Pensions and Insurance for University Teachers

Chairman, H. F. Stone (Law), Columbia

T. S. Adams (Econ.), Yale; W. W. Cook (Law), Yale; F. S. Deibler (Econ.), Northwestern; F. H. Dixon (Econ.), Dartmouth; T. C. Esty (Math.), Amherst; H. B. Gardner (Econ.), Brown; W. F. Gephart (Econ.), Washington (St. Louis); J. H. Gray (Econ.), Minnesota; M. W. Haskell (Math.), California; Otto Heller (Philos.), Washington (St. Louis); J. H. Hollander (Econ.), Hopkins; S. S. Huebner (Econ.), Pennsylvania; Joseph Jastrow (Psychol.), Wisconsin; E. W. Kemmerer (Econ.), Princeton; A. C. Lane (Geol.), Tufts; A. O. Lovejoy (Phil.), Hopkins; H. A. Millis (Econ.), Chicago; C. C. Plehn (Finance), California; H. L. Rietz (Math.), Iowa; A. H. Thorndike (Eng.), Columbia; H. S. White (Math.), Vassar; W. F. Willcox (Econ.), Cornell.

COMMITTEE Q

Conference with Other Societies on Place of Annual Meetings*Chairman, James H. Tufts (Philos.), Chicago*

J. McK. Cattell (Psychol.); Chester L. Jones (Pol. Sci.), Wisconsin; E. A. Ross (Sociol.), Wisconsin; A. N. Talbot (Engin.), Illinois; H. P. Talbot (Chem.), Mass. Inst. Tech.; Raymond Weeks (Rom. Philol.), Columbia; A. A. Young (Econ.), Cornell.

COMMITTEE R

Encouragement of University Research*Chairman, W. A. Nitze (Rom. Lang.), Chicago*

E. C. Armstrong (French), Princeton; C. Becker (History), Cornell; M. Bloomfield (Comp. Philol.), Johns Hopkins; A. C. L. Brown (Celtic), Northwestern; Edward Capps (Greek), Princeton; E. C. Franklin (Chem.), Stanford; A. R. Hohlfeld (German), Wisconsin; E. P. Lewis (Physics), California; J. L. Lowes (English), Harvard; F. C. Newcombe (Biol.), Michigan; W. A. Oldfather (Latin), Illinois; Roscoe Pound (Law), Harvard; C. C. Torrey (Oriental Lang.), Yale; F. J. E. Woodbridge (Philos.), Columbia.

COMMITTEE S

Summer School Organization*Chairman, F. N. Scott (Eng.), Michigan*

F. W. Chandler (Eng.), Cincinnati; T. D. A. Cockerell (Zool.), Colorado; S. P. Duggan (Educ.), City of New York; T. C. Esty (Math.), Amherst; M. B. Evans (German), Ohio; G. D. Hadzsits (Latin), Pennsylvania; W. M. Hart (Philol.), California; D. C. Munro (History), Princeton; G. C. Sellery (History), Wisconsin; Marion Talbot (Dom. Sci.), Chicago; E. L. Thorndike (Educ.), Columbia; J. H. Wigmore (Law), Northwestern.

COMMITTEE T

Place and Function of Faculties in University Government and Administration*Chairman, J. A. Leighton (Philos.), Ohio*

James R. Angell (Psychol.), Chicago; B. H. Bode (Philos.), Illinois; F. H. Dixon (Econ.), Dartmouth; E. A. Gilmore (Law),

Wisconsin; R. G. Harrison (Anat.), Yale; F. H. Hodder (Hist.), Kansas; Theodore Hough (Medicine), Virginia; J. B. Johnston (Medicine), Minnesota; L. E. Lord (Latin), Oberlin; Paul Monroe (Educ.), Columbia; L. T. More (Physics), Cincinnati; Lucy M. Salmon (Hist.), Vassar; M. W. Sampson (Eng.), Cornell; A. B. Wolfe (Econ.), Texas.

COMMITTEE U

Patriotic Service

Chairman, Shailer Mathews (Theol.), Chicago

M. A. Aldrich (Econ.), Tulane; Charles H. Cooley (Sociol.), Michigan; C. L. Cory (Engin.), California; Henry W. Farnam (Econ.), Yale; Albert Parker Fitch (Theol.), Amherst; Guy Stanton Ford (Hist.), Minnesota; Laurence Fossler (Germanic Lang.), Nebraska; James W. Garner (Pol. Sci.), Illinois; F. H. Giddings (Sociol.), Columbia; Charles H. Haskins (Hist.), Harvard; Charles H. Hull (Hist.), Cornell; Vernon L. Kellogg (Entom.), Leland Stanford Jr.; Gilbert N. Lewis (Chem.), California; R. M. McElroy (Hist.), Princeton; C. E. Mendenhall (Physics), Wisconsin; Julia E. Moody (Zoöl.), Wellesley; Henry R. Seager (Econ.), Columbia; W. T. Sedgwick (Biol.), Mass. Inst. Tech.; Paul Van Dyke (Hist.), Princeton; W. H. Welch (Medicine), Johns Hopkins; George C. Whipple (Engin.), Harvard; John H. Wigmore (Law), Northwestern; Ernest H. Wilkins (Rom. Lang.), Chicago; A. A. Young (Econ.), Cornell.

COMMITTEE V

Apparatus for Productive Scholarship

Chairman, F. J. Teggart (History), California

C. D. Buck (Sanskrit), Chicago; G. H. Chase (Archaeol.), Harvard; Clive Day (Economics), Yale; J. A. Fairlie (Pol. Sci.), Illinois; Max Farrand (History), Yale; G. T. Flom (Scandinavian Lang.), Illinois; C. H. Grandgent (Italian), Harvard; M. F. Guyer (Zoöl.), Wisconsin; G. L. Hamilton (French and Roman Philol.), Cornell; A. R. Hatton (Government), Western Reserve; P. J. Healey (Ecclesiastical History), Catholic University of Washington; E. R. Hedrick (Math. and Astron.), Missouri; M. Jastrow, Jr. (Semitic Lang.), Pennsylvania; V. L. Kellogg (Entom.), Stanford;

C. Knapp (Latin), Columbia; B. E. Livingston (Botany), Hopkins; J. C. Merriam (Paleon.), California; D. R. Stuart (Greek), Princeton; F. Thilly (Philos.), Cornell; C. Thomas (Germanic Lang.), Columbia; J. W. Tupper (English), Lafayette; C. P. Wagner (Hispanic Lang.), Michigan; J. B. Watson (Psychol.), Johns Hopkins.

COMMITTEE W

Status of Women in College and University Faculties

Chairman, A. C. Ellis (Educ.), Texas

Florence Bascom (Geol.), Bryn Mawr; Cora J. Beckwith (Zoöl.), Vassar; Isabel Bevier (Household Sci.), Illinois; Harriet W. Bigelow (Astron.), Smith; Isabelle Bronk (French), Swarthmore; Carleton Brown (Philol.), Minnesota; Caroline Colvin (Latin), Maine; John Dewey (Philos.), Columbia; Anna J. McKeag (Educ.), Wellesley; D. C. Munro (Hist.), Princeton; Helen M. Searles (Latin), Mt. Holyoke; W. T. Sedgwick (Biol.), Mass. Inst. Tech.; W. F. Willcox (Econ.), Cornell.

COMMITTEE X

Delegate Representation

Chairman, H. W. Prescott (Classical Philol.), Chicago

R. C. Brooks (Econ.), Swarthmore; R. G. Harrison (Anat.), Yale; Isidor Loeb (Pol. Sci.), Missouri; G. R. Noyes (Slavic Lang.), California; F. W. Shipley (Classics), Washington, (St. Louis); Lucy E. Textor (History), Vassar.

COMMITTEE Y

Guiding Principles for Higher Education

Authorized by the Council. The personnel will be announced in the October Bulletin.

COMMITTEE Z

The Economic Condition of the Profession

Authorized by the Council. The personnel will be announced in the October Bulletin.

MEMBERSHIP

MEMBERS ELECTED

The Committee on Admissions announces the election of the following fifty-five persons to membership in the Association:

Brooklyn Polytechnic Institute, E. F. Church; **Brown University**, W. T. Hastings, F. Slocum; **University of California**, G. P. Adams, W. A. Morris, H. McL. Evans; **University of Cincinnati**, C. N. Moore, E. S. Smith; **Drake University**, F. Richardson; **Fargo College**, G. F. Henry; **University of Florida**, J. L. McGhee; **Iowa State College**, E. D. Ball; **University of Kansas**, J. G. Brandt, H. P. Cady, W. W. Davis, L. N. Flint, U. G. Mitchell, O. O. Stoland, C. C. Williams; **University of Minnesota**, J. Sundwall; **University of Montana**, J. E. Kirkwood; **Northwestern University**, J. T. Hatfield; **Occidental College**, H. G. Shearin; **Pennsylvania State College**, I. L. Foster; **University of Pittsburgh**, H. J. Webster; **Princeton University**, M. W. Croll; **Purdue University**, L. A. Test; **Reed College**, A. A. Knowlton; **University of Rochester**, H. L. Fairchild, G. M. Forbes, C. Hoeing, M. Jacobstein, J. R. Slater; **Smith College**, M. L. Foster; **University of Southern California**, S. Rittenhouse, A. B. Ulrey; **Syracuse University**, A. C. Baebenroth, M. S. Dooley, W. R. P. Davey, R. Jewell, M. Ketcham, M. E. Smith; **University of Texas**, W. S. Sutton; **Tufts College**, F. D. Lambert, W. H. Reed and F. E. Seavey; **Union College**, E. Ellery, J. H. Stoller; **U. S. Naval Academy**, L. A. Doggett; **University of West Virginia**, R. A. Armstrong, W. Barbe, J. H. Cox, F. L. Emory, A. J. Hare, A. R. Whitehill.

OFFICERS OF LOCAL BRANCHES

Officers of Local Branches reported as elected for the year 1918-19, since the publication of the list on p. 89 of the January Bulletin are as follows:

	<i>Chairman</i>	<i>Secretary</i>
University of Colorado	J. F. Willard	C. C. Eckhardt
Johns Hopkins University	H. S. Jennings	J. M. Vincent
University of Missouri	Henry M. Belden	Jonas Viles
University of Nebraska	L. E. Aylsworth	Louise Pound
Ohio State University	J. V. Denney	George M. Bolling
Purdue University	C. M. Smith	B. W. Bond, Jr.
Vassar College	Lucy M. Salmon	Ida C. Thallon
Washington University	B. M. Duggar	Chas. E. Cory
Yale University	A. L. Corbin	A. W. Evans

NOMINATIONS FOR MEMBERSHIP

The following forty-one nominations are printed as provided under Article IV of the Constitution. Objection to any nominee may be addressed to the Secretary, H. W. Tyler, Massachusetts Institute of Technology, Cambridge, Mass., or to the Chairman of the Committee on Admissions,* and will be considered by the Committee if received before September 15, 1919.

The Committee on Admissions* consists of J. V. Denney (Ohio State), Chairman; Florence Bascom (Bryn Mawr), Edward Capps (Princeton), J. Q. Dealey (Brown), A. R. Hohlfeld (Wisconsin), G. H. Marx (Stanford), and F. C. Woodward (Washington, D. C.).

The names of nominators follow the name of each nominee in parentheses. Nominators for whom no institution is specified are colleagues of the nominee.

Clyde S. Atchison (Mathematics), Washington and Jefferson,

(S. O. Dickerman, W. E. McElfresh, C. L. Maxey, Williams)

Carroll N. Brown (Classical Language), City of New York,

(M. R. Cohen, L. F. Mott, F. G. Reynolds)

C. Davis Buckner (Chemistry), Kentucky,

(A. M. Miller, J. C. T. Noe, G. Terrell)

George Plumer Burns (Botany), Vermont,

(S. E. Bassett, A. B. Myrick, M. B. Ogle)

Henry S. Conrad (Botany), Grinnell,

(C. E. Payne, J. P. Ryan, P. S. Peirce, Iowa)

Clinton Harvey Currier (Mathematics), Brown,

(C. W. Brown, A. C. Crowell, R. G. D. Richardson)

Lehre Livingston Dantzler (English), Kentucky,

(A. M. Miller, J. C. T. Noe, G. Terrell)

J. Morton Davis (Mathematics), Kentucky,

(P. P. Boyd, E. F. Farquhar, G. Terrell)

Samuel C. Derby (Latin), Ohio State,

(J. V. Denney, S. L. Powers, H. R. Spencer)

John W. Gannaway (Political Science), Grinnell,

(C. E. Payne, J. P. Ryan, P. S. Peirce, Iowa)

F. N. Guild (Chemistry), Arizona,

(B. Cummings, F. C. Lockwood, C. T. Vorhies)

Clarence G. Hamilton (Music), Wellesley,

(C. A. Bragg, H. A. Merrill, C. L. Young)

*Nominations should in all cases be presented through the Secretary, H. W. Tyler, Mass. Institute of Technology, Cambridge, Mass.

- Heman B. Leonard (Mathematics), Arizona,
(B. Cummings, F. C. Lockwood, C. T. Vorhies)
- Walter Libby (Medicine), Pittsburgh,
(L. E. Griffin, A. Silverman, C. N. Wenrich)
- J. A. Long (Embryology), California,
(W. C. Bray, M. W. Haskell, S. J. Holmes)
- Raymond B. McClenin (Mathematics), Grinnell,
(C. E. Payne, J. P. Ryan, P. S. Peirce, Iowa)
- E. F. Malone (Histology), Cincinnati,
(W. J. Battle, N. M. Fenneman, H. McE. Knower)
- Ralph Nelson Maxson (Chemistry), Kentucky,
(A. M. Miller, J. C. T. Noe, G. Terrell)
- John H. Montgomery (Phys. and Elec. Eng.), Southern California,
(J. C. Shedd, Occidental, J. L. Markley, G. W. Patterson, Michigan)
- Thomas R. Moore (History), College of the City of New York,
(M. R. Cohen, L. F. Mott, J. S. Schapiro)
- Homer C. Newton (Classical Language), City of New York,
(M. R. Cohen, F. G. Reynolds, J. S. Schapiro)
- Harry W. Norris (Zoölogy), Grinnell,
(C. E. Payne, J. P. Ryan, P. S. Peirce, Iowa)
- J. A. Northcott (Mathematics), Syracuse,
(C. H. Carter, H. A. Eaton, P. O. Place)
- Erastus Palmer (Public Speaking), City of New York,
(M. R. Cohen, L. F. Mott, F. G. Reynolds)
- S. F. Pattison (English Literature), Arizona,
(B. Cummings, F. C. Lockwood, C. T. Vorhies)
- Harry Fielding Reid (Geology), Johns Hopkins,
(J. C. French, A. O. Lovejoy, J. M. Vincent)
- Robert Retzer (Anatomy), Pittsburgh,
(L. E. Griffin, A. Silverman, W. P. Webber)
- A. T. Robinson (English), Mass. Inst. Tech.,
(F. J. Moore, H. P. Talbot, H. W. Tyler)
- Robert Bruce Roulston (German), Johns Hopkins,
(J. C. French, J. H. Latané, J. M. Vincent)
- Ivin Sickels (Geology), City of New York,
(M. R. Cohen, L. F. Mott, F. G. Reynolds)
- Albert I. Spanton (English), Akron,
(F. E. Ayer, J. S. Kenyon, Hiram, T. H. Sonnedecker, Heidelberg)
- John D. Stoops (Philosophy), Grinnell,
(C. E. Payne, J. P. Ryan, P. S. Peirce, Iowa)
- Mary E. Taylor (Latin), Mount Holyoke,
(H. E. Hoag, H. M. Searles, L. H. Wild)
- John P. Turner (Philosophy), City of New York,
(M. R. Cohen, J. S. Schapiro, W. H. Sheldon, Dartmouth)

Edward Tuthill (History), Kentucky,

(P. P. Boyd, E. F. Farquhar, G. Terrell)

Albert E. Vinson (Agriculture), Arizona,

(B. Cummings, F. C. Lockwood, C. T. Vorhies)

Joseph G. Walliser (English), Grinnell,

(C. E. Payne, J. P. Ryan, P. S. Peirce, Iowa)

John Martyn Warbeke (Philosophy), Mount Holyoke,

(E. C. Doak, E. D. Ellis, E. B. Talbot)

David Stuart White (Veterinary Medicine), Ohio,

(J. V. Denney, E. S. Ingraham, S. E. Rasor)

Edward E. Whitford (Mathematics), City of New York,

(M. R. Cohen, F. G. Reynolds, J. S. Schapiro)

Ralph B. Wiley (Sanitary Eng.), Purdue,

(J. C. Arthur, P. N. Evans, C. M. Smith)

